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When is Change Possible?

Presidential Power as Shaped by Political Context,
Constitutional Tools, and Legislative Skills

An Honors Paper for the Department of Government and Legal Studies

By Ryan Telingator

Bowdoin College, 2021

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Preface

“The system is broken” is a common refrain among my friends. Although their voting preferences span from moderate Democrat to Democratic Socialist, universal among them is a lack of faith in government. I don’t subscribe to such notions. I believe in the power of government to make a real change in the lives of people. I have two moms. For most of my childhood, civil unions were the only federal option for them to celebrate their 30 years of partnership. However, as gay marriage was gradually legalized at the state level, I saw the potential of government to impact my life firsthand. I will always remember the day that the White House lit up with rainbow colors after the Supreme Court legalized same-sex marriage in *Obergefell v. Hodges*. I carry that experience with me as I seek to revitalize faith in individuals across the nation in the potential of their government to serve them.

The political apathy and disappointment in my peers also stem from reaching political maturity during the Trump administration. It was difficult to see my federal government prolifically espouse racism, misogyny, xenophobia, and hatred for four years. And it was even more difficult to see President Trump’s lack of political skill and general lack of empathy result in a sorely inadequate response to the coronavirus pandemic. At the time of this writing, around 580,000 American lives have been lost. The last year of our lives has been indescribably horrific. There is a lot of pain, loss, and grief in our country. I undertook this thesis to evaluate and restore my personal trust in government, and to prove that there are conditions where presidential power can be harnessed for change.

Last summer, I interned at Strategies for Children (SFC), a nonprofit devoted to creating policy and advocating for high quality early childhood education for all children in the state of Massachusetts. Prior to the internship, I had always pictured a career in the nonprofit, direct-

service sector. However, SFC introduced me to the power of policy, legislation, budgets, and governmental action. I decided to pursue an Honors Thesis after this experience, eager to explore historical moments of action in the early education field. My advisor, Professor Andrew Rudalevige, saw potential in my proposal and has guided me throughout this experience. He helped me overcome imposter syndrome, has given me countless books and articles to read, and has aided me in putting my thoughts onto the page. He also helped me figure out how to weave my education interests into a thesis about presidential power – as you will see, education and governmental assistance programs are a consistent thread in my case studies. I am very grateful for his advice and support.

Thus, *When is Change Possible?: Presidential Power as Shaped by Political Context, Constitutional Tools, and Legislative Skills*, has come together over the course of this year after copious research on presidential political theory, Constitutional theory, presidential history, Lyndon Johnson, Ronald Reagan, and Joe Biden. I wanted to determine under what conditions presidentially driven change would be possible. My findings inspire hope for the present moment, a moment fraught with racial injustice, economic inequality, and a climate crisis.

I want to dedicate this thesis to a few special individuals in my life. To my mothers, who have been my biggest supporters for the past 21 years, and who do everything in their power to allow me to pursue any opportunity that I desire. To my twin brother, girlfriend, and close friends at Bowdoin and beyond who have supported me during this writing process. And especially to my grandfather, Dr. Max Williams, a Professor Emeritus of American History at Western Carolina University, who passed away in January. I found my love of history a few months too late, but his stories of the Civil War and of President Lincoln have been on my mind as I have studied moments of change and presidential power this year.

Chapter 1: Understanding the Presidency

“Presidential weakness was the underlying theme of [the 1960 edition of] *Presidential Power*. This remains my theme... Weakness is still what I see: weakness in the sense of a great gap between what is expected of a man (or someday a woman) and assured capacity to carry through.”¹

- Richard Neustadt, “Preface to the 1980 Edition,” *Presidential Power*

“So, let’s get to work. I wanted to lay out, before the Congress, my plan before we got into the deep discussions. I’d like to meet with those who have ideas that are different — they think are better. I welcome those ideas. But the rest of the world is not waiting for us. I just want to be clear: From my perspective, doing nothing is not an option.”²

- Joe Biden, Address to a Joint Session of Congress (April 28, 2021)

By late April, at the 100-day mark of his presidency, Joe Biden had hosted over 100 lawmakers in the Oval Office.³ In what has jokingly been called “chocolate chip diplomacy,” Biden has engaged with the lawmakers, swapping stories of hometowns, listening to legislative proposals, and offering them chocolate chip cookies as they leave his office.⁴ These meetings have been bipartisan; Biden has hosted everyone from “powerful committee chairs to influential caucus leaders, Republicans and Democrats alike.”⁵ Such intentional efforts to foster relationships with all members of Congress speak to Biden’s respect for the branch of government where he served for 36 years. Yet, 10 years after the 2010 midterms where Obama’s desire for compromise contributed to the loss of six Senate seats and the Democratic majority in the House, Biden’s use of executive orders and support for congressional reconciliation

¹ Richard Neustadt, *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*, 2nd ed. (New York, NY: The Free Press, 1990).

² Joe Biden, “Remarks by President Biden in Address to a Joint Session of Congress” (Speech, Washington, D.C., April 28, 2021), <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/04/29/remarks-by-president-biden-in-address-to-a-joint-session-of-congress/>.

³ Lisa Mascaró, “Chocolate Chip Diplomacy: Biden Courts Congress with Gusto,” *AP News*, April 24, 2021, sec. Health, <https://apnews.com/article/ap-top-news-diplomacy-coronavirus-government-and-politics-gun-politics-4a1c8caa681af9d55fa601b38f999ba6>.

⁴ Mascaró.

⁵ Mascaró.

demonstrate an acceptance of partisan legislating. For Biden and the Democrats, “doing nothing is not an option.”

Largely due to the inundation of presidential quotes and images in mass media, and popular culture’s penchant for apotheosizing the nation’s leader (think Jed Bartlet in *West Wing*), understandings of presidential power by the common American citizen are embellished and unrealistic. Scholar Brendan Nyhan coined the “Green Lantern” Theory of the Presidency to describe this dynamic. The theory, really a popular belief, holds that “the president can achieve any political or policy objective if only he tries hard enough or uses the right tactics.”⁶ This notion compares the president to D.C. Comics’ Green Lantern Corps: a fictional, intergalactic peacekeeping entity. They are an all-powerful group that always saves the galaxy through hard work. Tying fiction to the presidency, this theory posits that Americans believe that “the American president is functionally all-powerful, and whenever he can’t get something done, it’s because he’s not trying hard enough, or not trying smart enough.”⁷ The “perceptually strong” president, thus, can only fail to pass the legislation that he wants when he does not adequately harness the powers of the office.

The Constitutional delegation of legislative power, however, quickly dispels the Green Lantern theory. This introduces the important question of how can a president actually influence the legislative process to promote his desired agenda?

⁶ As quoted in Ezra Klein, “The Green Lantern Theory of the Presidency,” Vox, May 20, 2014, <https://www.vox.com/2014/5/20/5732208/the-green-lantern-theory-of-the-presidency-explained>.

⁷ Klein, “The Green Lantern Theory of the Presidency.”

The Constitutional Basis

While presidents are “perceptually strong,” they are “structurally weak.”⁸ At the Constitutional Convention in 1787, the creation of the executive branch was the most contentious topic discussed.⁹ Newly freed from the tyrannical rule of King George III and Great Britain, the Founding Fathers feared that writing a singular executive into the new country’s Constitution was akin to creating the “foetus of monarchy.”¹⁰ The Framers of the Constitution instead settled on the separation of powers model that remains in effect today, which divides authority between the executive, legislative, and judicial branches of American government, with each branch serving to check the power of the others. From a policy-making perspective, the legislative branch is powerful, and the executive is relatively weak. The president “has little formal power to make Congress do anything.”¹¹ He cannot force Congress to vote on a bill nor pass a bill, and his veto is also impotent against a two-thirds Congressional veto override.¹²

Most of the presidential rights, responsibilities, and restraints are outlined in Article II of the Constitution. Article II provides formal recognition that the executive power of the country is vested in the president. It outlines that the duration of a presidential term will be limited to four years, and that the president can be reelected.¹³ Additionally, Article II includes the Oath of Office, outlines the responsibilities of the President as Commander in Chief, describes the requirement for providing Congress information about the state of the union, and explains the

⁸ Klein.

⁹ Andrew Rudalevige, “The ‘Foetus of Monarchy’ Grows Up,” in *The New Imperial Presidency: Renewing Presidential Power after Watergate* (Ann Arbor, MI: University of Michigan Press, 2005), 19.

¹⁰ Rudalevige, 20.

¹¹ Klein, “The Green Lantern Theory of the Presidency.”

¹² Klein.

¹³ Until the ratification of the 22nd Amendment in 1947, there were no term limits. The amendment stipulates, however, that a president can only serve two four-year terms.

proceedings of impeachment.¹⁴ One of the most important tools at a president's disposal in the legislative process, the veto, is outlined in Article I.

The Constitution did not construct a strong president. It instead outlines an interplay of powers and duties. It is easy to get caught up in the perceived powers of the office, but, at their essence, executive powers are merely instrumental, created in order to help the president fulfill their duties to the nation.¹⁵ Constitutional scholar Joseph Bessette argues that Article II not only provides the president with a potentially expansive authority, but it also lays out “the large and specific responsibilities that inform and limit how he should exercise them.”¹⁶

Thus, as presidential scholar Richard Neustadt observes, the Constitution creates a weak president, especially regarding legislating. It is important to understand, then, how, in the face of this weakness, presidents have successfully achieved legislative change.

Evolution of the Executive

The early American presidents were reluctant to take executive actions outside of those explicitly outlined in the Constitution. They feared resembling the British despotism that the Americans had recently escaped from. Thus, until the 1830s, presidents accepted their “constitutionally weak position” as fact and exerted limited power over the legislative process.¹⁷

In the 1830s, Andrew Jackson popularized the use of the veto – most notably with the proposed reauthorization of the Bank of the United States – to prevent the enactment of what he thought was “bad policy.”¹⁸ During the Civil War, Abraham Lincoln expanded the volunteer and

¹⁴ “The 2nd Article of the U.S. Constitution,” National Constitution Center, accessed October 21, 2020, <https://constitutioncenter.org/interactive-constitution/article/article-ii>.

¹⁵ Joseph Bessette and Gary Schmitt, “The Powers and Duties of the President: Recovering the Logic and Meaning of Article II,” in *The Constitutional Presidency* (Baltimore, MD: Johns Hopkins University Press, 2009), 30.

¹⁶ Bessette and Schmitt, 53.

¹⁷ Rudalevige, “The ‘Foetus of Monarchy’ Grows Up,” 33.

¹⁸ Rudalevige, 36.

regular army, authorized the construction of new warships, spent \$2 million of unappropriated funds, and suspended the constitutional right of habeus corpus, among taking other actions.¹⁹ Lincoln justified these acts by stating “I felt that measures, otherwise unconstitutional, might become lawful, by becoming indispensable to the preservation of the Constitution, through the preservation of the nation.”²⁰ This established the precedent of expanded presidential powers in wartime and crisis. Woodrow Wilson turned the State of the Union message into a State of the Union address, “setting the legislative agenda by gathering a joint session of Congress together to hear his programmatic plans.”²¹ This marked the beginning of the use of the presidential bully pulpit to bridge the separation of powers and appeal to Congress for legislative action. These expansions of presidential power and others ushered in the era of the modern presidency, which remains the frame with which scholars view the office.

The modern presidency, according to scholar Fred Greenstein, began with the inauguration of Franklin D. Roosevelt (FDR) in 1933. It is defined by 1) the president’s strong influence on public policy, and 2) the success of their influence being determined by both the personal leadership qualities they bring to office and by the political context of their presidency.²²

The first prong of the modern presidency – the president’s strong influence on public policy – stems from the increased bureaucratization and institutionalization of the office that has occurred since Roosevelt’s tenure. FDR brought in academics to advise his policies and lawyers to draft the legislation for his New Deal programs, institutionalizing in the process an increased

¹⁹ Rudalevige, 30.

²⁰ Lincoln letter to Albert G. Hodges, April 4, 1864, reprinted in Pyle and Pious, *The President, the Congress, and the Constitution* (NY: Free Press, 1984), 65. As cited in Rudalevige, 31.

²¹ Rudalevige, 35; John Dearborn, “The ‘Two Mr. Wilsons’: Party Government, Personal Leadership, and Woodrow Wilson’s Political Thought,” *Congress & the Presidency* 47, no. 1 (2020): 46–47.

²² Fred Greenstein, ed., *Leadership in the Modern Presidency* (Cambridge, MA: Harvard University Press, 1988), 1.

West Wing staff of presidential aides and advisors. “The President’s men” have continued to expand since then: in conjunction with Congress, President Truman created the Council of Economic Advisors (CEA) and National Security Council (NSC) during his presidency and President Eisenhower created a legislative liaison office. Later, President Kennedy professionalized speechwriting staffs and increased polling and media infrastructure.²³ FDR also oversaw the passage of the 1939 Reorganization Act, which built up bureaucratic agencies to ensure that they “would have a continuing responsibility to the president, not matter who served in office.”²⁴ The Reorganization Act especially enhanced the power of the Bureau of the Budget (BOB), which evolved from a bookkeeping agency to a policy-framing agency.²⁵

Such institutionalization standardized the resources at the president’s disposal when in office. These developments – especially the increase of staff and agencies in support of the White House – represent key mechanisms that all modern presidents can use when attempting to influence public policy.

The second prong of Greenstein’s theory revolves around the leadership qualities of a president. He frames the modern presidency as an institution malleable to individual construction, positing that the “potentialities and limitations of the presidency are a function of its incumbents’ performance.”²⁶ Such malleability stems from the evolution of the executive office itself, where there has been a “progressive development of the institutional resources and governing responsibilities of the executive office.”²⁷ As a result of this development, scholar Stephen Skowronek argues, there has been a corresponding progressive development of the

²³ Greenstein, 298–323.

²⁴ Greenstein, 301.

²⁵ In 1970, the Bureau of the Budget became the Office of Management and Budget (OMB)

²⁶ Greenstein, *Leadership in the Modern Presidency*, 1.

²⁷ Stephen Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush* (Cambridge, MA: The Belknap Press of Harvard University Press, 1993), 30.

“repertoire of powers the presidents of a particular period have at their disposal.”²⁸ Thus, the modern presidency presents newfound opportunities – relative to the presidents of the pre-Roosevelt era – for presidents to “realize their preferences in action.”²⁹

Greenstein concludes by arguing that the inherent ambiguity of the office allows a president to create their own path towards an impact on the national policy stage. While this impact is informed by the bureaucratic supports that have been institutionalized since 1933, there is significant leeway for a president to chart their own course within the modern presidency model. The vagueness of Article II of the Constitution and limited definition of the roles and responsibilities of the president have created a position that is strongly shaped by the individuality and personality of the incumbent.³⁰ Although bureaucratic processes and the political context that an incumbent is elected in can create obstacles for a president to enact their agenda, the personality of the individual can play a role in determining the overall degree of the president’s impact.³¹

The modern presidency is an important frame that I will continue to utilize when considering the case studies in this thesis. Greenstein’s theory also positions success as contingent upon the personality and skills that a president brings into office. While I accept and use the model of the modern presidency, through my research, I will evaluate the claim of the importance of skills will determine the true role of skills in presidential success, as I define it. We turn to this task in the next session.

²⁸ Skowronek, 30.

²⁹ Skowronek, 30.

³⁰ Greenstein, *Leadership in the Modern Presidency*, 5.

³¹ Greenstein, 5.

Thesis Overview

Three primary questions have focused my research throughout this thesis process. First and foremost, is the question: Under what conditions is change possible? Research on this front will reveal if certain political moments are more favorable to large legislative action than others. Second, what kinds of tools help facilitate change during opportune political contexts? This question will help me understand the political mechanisms at a president's disposal to promote their political agenda. Finally, I will seek to answer: what legislative skills contribute to creating change? How can a president's political acumen and personality – a la Greenstein – influence their efficacy in utilizing tools in a moment conducive to change? Answering these three questions will reveal when change is possible and provide a model for how presidents can best attain significant legislative action.

Change, in my conceptualization for this thesis, is defined as a significant departure from the political status quo. Success, consequently, is measured by the ability of a president to get legislation passed that can instigate such a change. While the president can enact some change through unilateral action, unilateralism is “inherently fragile compared with legislative change.”³² The system “demands... consensus and coalition building to achieve permanent reform.”³³ Acknowledging that such legislating is left to the Congress by the Constitution, success, for a president, will primarily revolve around their ability to support the traditional legislative process and push their preferred program forward.

In the first chapter, I will provide an overview of the presidential literature, which delves into presidential capacities and powers. The chapter is divided into three sections: 1) political

³² Andrew Rudalevige, “Obama and the Unilateral Presidency: Imperial or Imperiled,” in *The Obama Legacy, Presidential Appraisals and Legacies* (Lawrence, KA: University Press of Kansas, 2019), 241.

³³ Rudalevige, 241.

context, 2) Constitutional tools, and 3) legislative skills. The political context literature includes John Kingdon's work on agenda setting and policymaking, Stephen Skowronek's scholarship on political time, and several sources on mandates, how they are achieved, and how they are perceived. Constitutional tools involve unilateral action and veto bargaining. Finally, legislative skills refer to the personality and leadership traits that presidents bring into the office with them. I draw on the research of Richard Neustadt, George Edwards, Fred Greenstein, and other scholars to debate presidents' role in creating change.

The two subsequent chapters will each present a case study of a past president, introducing the presidents' biographies, their political ethe, and concluding with an evaluation of two significant moments of legislative change or variance in presidential power during their administrations. First, I will introduce President Lyndon Johnson. Johnson is renowned for his New Deal-esque government assistance programs, created in his landmark legislative legacy, the Great Society. The Johnson case study will focus on the Economic Opportunity Act (EOA), a significant bill passed to create the Great Society. I also will introduce the Vietnam War and examine its impact on Johnson's political power, especially after legislative victories such as the EOA. This case study will seek to assess the contributing factors to Johnson's success, as well as investigate how the Vietnam War impacted his ability to control the agenda.

Next, I will present a case study on President Ronald Reagan. In contrast to Johnson's liberal legacy, Reagan is remembered as the father of modern conservatism. His landmark tax cut in the Economic Recovery Tax Act of 1981 (ERTA) redefined fiscal conservatism and the country's understanding of wealth redistribution, moving away from the liberal welfare-oriented programs to a trickle-down economics model. In the case study, I focus on the passage of the ERTA, as well investigate his failure in shutting down the Education Department. This case

study, similarly, will present the variance in Reagan's power during his tenure, and will seek to determine the root of his legislative successes and failures.

I chose to focus on Johnson and Reagan because of their respective legacies in enacting significant liberal and conservative legislative programs during their time in office. They experienced significant legislative successes, as well political trials that impacted their abilities to pass their legislative priorities. Thus, they present important case studies to understand what made their contexts opportune times to create a political change, see what tools they used to make such a change, and evaluate what personal skills they brought to office that aided in the passage of the EOA and ERTA. Also, from a personal interest standpoint, both made a significant impact on the nation's investment in social programs and the nation's children. Such a focus aligned these cases with my personal interests in education and social policy, stimulating a desire to dig deeper into Johnson's and Reagans' initiatives.

In conclusion, I will turn to see how the theory and data gathered from the case studies inform the prospects of a Biden presidency. I will be writing this thesis as Biden navigates his first 100 days in office, a historically prolific time in terms of presidential legislating. I will evaluate the political context, the tools at his disposal, and his political repertoire to try and predict the degree of legislative success I expect him to have over the next four years.

Chapter 2: Presidential Power?

2.1 The Puzzle

As I introduced in the previous chapter, through this research I am seeking to piece together the puzzle presented by the broad existing literature as to what political conditions and factors make a moment ripe for change. Specifically, my guiding questions are: Under what conditions is change possible? What kinds of tools help facilitate change during opportune political contexts? What legislative skills contribute to creating change? Although legislation and political change come from various sources, my focus will primarily be on change instigated by a president. This theory chapter will be divided into four sections. The first three will address my research questions. I will first focus on political context, introducing the process of agenda setting and policy making, the theory of political time, and mandates. Next, I will present the Constitutional tools that the president has to catalyze change, including unilateral action and veto bargaining. Finally, I will discuss legislative skills that a president can use to support a bill's passage, which are especially relevant in their relations with Congress. The chapter will conclude with my hypothesis of the conditions, tools, and presidential skills that coalesce to create the best possible opportunity for change.

2.2 Political Contexts

Agenda Setting and Policy Making

Change is not possible without a comprehensive and compelling legislative package that Congress can deliberate on and a president can support. It is therefore important to understand the policymaking process – the actual mechanism creating change – before theorizing on when change is possible.

As scholar John Kingdon writes in *Agendas, Alternatives, and Public Policies*, policies are produced by a massive community of actors that includes politicians, lobbyists, and academics. Kingdon breaks the community into two groups: the visible cluster and the hidden cluster. The visible cluster includes the administration – comprised of the president and his top appointees – which is the most prominent actor and a “powerful” agenda setter.¹ Other visible actors include high ranking members of Congress, the mass media, elections, parties, and campaigns.² The visible actors primarily influence the agenda by publicly indicating preferences. The hidden cluster is comprised of researchers, career civil servants, congressional and White House staffers, and low-level political appointees.³ The hidden actors primarily come up with policy alternatives to the president’s agenda. Both clusters work in conjunction to create a range of policy solutions to public problems.

Kingdon describes three major process streams of activities that comprise policy creation, “1) problem recognition, 2) the formation and refining of policy proposals, and 3) politics.”⁴ Importantly, a societal condition must be recognized as a problem for it to enter the political discourse. Such recognition relies on a critical mass of people in and around government to recognize the condition as a problem, compelling policy makers to address it. The policy community then works to generate solutions, with both visible and hidden cluster actors contributing to create policies and alternatives. Finally, the actors in the political stream “engage in... political activities [such] as election campaigns and pressure group lobbying.”⁵ Political events such as “swings of national mood,... election results, changes of administration” are

¹ John Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (Boston, MA: Addison-Wesley Educational Publishers Inc., 2003), 69.

² Kingdon, 69.

³ Kingdon, 69.

⁴ Kingdon, 87.

⁵ Kingdon, 87.

factors within the political stream, influencing the political climate and determining if the policy is likely to pass. While processes within each stream are independent, change can only come about when the three streams converge. When such coupling happens, “a problem is recognized, a solution is available, the political climate makes the time right for change, and the [bureaucratic] constraints do not prohibit action.”⁶

The idea of a “political climate making the time right for change” helps introduce Kingdon’s theory of policy windows, a notion closely connected to my research questions. A policy window is “an opportunity for action on given initiatives,” which “present themselves and stay open for only short periods.”⁷ Although the openings can sometimes be unpredictable, focusing events, “events like a crisis or disaster that comes along to call attention to a problem,” can open policy windows by “providing a push to get the attention of people in and around government.”⁸

Policy windows are the most opportune time to pass legislation if one is seeking to counter the status quo; they represent a governmental climate fertile for change. Notably, the climate is the “most critical factor that explains the prominence of an item on the agenda,”⁹ dispelling the notion of policymaking as a gradual process, and emphasizing that, in an opportune time, the political context facilitates the opportunity for large-scale and intentional change.

The literature suggests that open policy windows present the most opportune context for large legislative programs to be passed. Other important factors that influence the political

⁶ Kingdon, 88.

⁷ Kingdon, 166.

⁸ Kingdon, 94–95.

⁹ Kingdon, 72.

context and can aid a president in capitalizing on a policy window opening are political time and mandate. I will focus on those two theories for the rest of this section.

Political Time

Stephen Skowronek reconceptualized presidential history in *The Politics Presidents Make*, diverging from the typical chronological analysis of the office and instead offering analyses based on cyclical political conditions that determine a president's potential influence, such as the president's identity in relation to the established regime and the strength of that regime. The term regime refers to the "commitments of ideology and interest embodied in preexisting institutional arrangements."¹⁰ For example, the regime in the early 1940s revolved around Franklin Roosevelt's liberalism. The ideological commitments and institutional arrangements supported FDR's New Deal programs. This general political ethos remained strong until the Reagan Revolution in the 1980s, when the "regime" began to fail.

The chronological method of evaluation, Skowronek argues, assumes that the presidential system is given and stable.¹¹ On the contrary, he notes, "presidents disrupt systems, reshape political landscapes, and pass to successors leadership challenges that are different from the ones just faced."¹² Therefore, his theory revolves around the political landscapes that presidents inherit, and how their position vis a vis the established regime influences their ability to navigate the landscape.

It is important to acknowledge power and authority as two factors that strongly affect an incumbent's ability to operate within their political context. In Skowronek's definition, power

¹⁰ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 34.

¹¹ Skowronek, 6.

¹² Skowronek, 6.

refers to the formal and informal resources at the president's disposal. Authority is determined by the degree of trust placed in the incumbent to adequately wield their power.¹³ Presidents need to have an acute ability to garner authority – which also “hinges on the warrants that can be drawn from the moment at hand to justify action” – in order to harness the complete resources of the office and to utilize the gamut of their executive powers.¹⁴ However, power and authority are not instant catalysts for change. For a president to truly leave a mark on the nation and enact change, they must be able to sharply repudiate the previous, failing regime. Such repudiation enables the president to “disrupt” the weak old system, and to “reshape” and reconstruct new systems. In doing so, the president can reproduce a new “legitimate political order.”¹⁵

The reproduction of a new political order is difficult to attain. Skowronek defines such structural change as reconstructive. Very few presidents throughout American history have been able to attain their reconstructive potential. It can only be attained through institutional changes that “shatter the politics of the past, orchestrate the establishment of a new coalition, and enshrine their commitments as the restoration of original values.”¹⁶ According to Skowronek, presidents are only empowered to undertake such shattering, orchestration, and enshrining under specific political conditions and in an ideal political time. The typology presented below presents the four recurrent structures of authority that determine a president's potential to undertake reconstructive change.

The Politics Presidents Make presents a typology of four political times that cyclically arise throughout presidential history: the politics of reconstruction, the politics of articulation, the politics of preemption, and the politics of disjunction. The model is based on two factors: the

¹³ Skowronek, 18.

¹⁴ Skowronek, 18.

¹⁵ Skowronek, 19.

¹⁶ Skowronek, 38–39.

president-elect's partisan identity relative to the president they are replacing (opposed or affiliated) and the status of previously established ideological commitments of the regime (vulnerable or resilient). Skowronek emphasizes that a president and their potential for executive action cannot be understood solely by the powers inherent to the presidency; instead, we must evaluate whether the political conditions that they assume office in are conducive to change or stasis. Or, in Skowronek's words, if the political conditions are conducive to the disruption or maintenance of the current order.

The politics of reconstruction refers to a political context where a president comes to power when the current governmental commitments are failing, and the president-elect hails from the opposite party. The failing ideology of the previous president is "vulnerable to direct repudiation,"¹⁷ which creates "the most promising of all situations for the exercise of political leadership."¹⁸ Skowronek argues that "presidents elected upon the outright rejection of their predecessors will have at hand an expansive warrant for disruption."¹⁹ Thus, a moment of reconstruction presents a president-elect with the opportunity to fully harness the order-creating capabilities of the office and truly recreate the country and its institutions in their vision. Reconstructive presidents include Abraham Lincoln, Franklin Roosevelt, and Ronald Reagan, and they are generally remembered as political titans who fundamentally changed America's political landscape.²⁰

Articulative presidents tend to follow reconstructive ones. In a politics of articulation, the president-elect is affiliated with the existing regime, and the ideological commitments are resilient. These presidents are largely tasked with "galvanizing political action with promises to

¹⁷ Skowronek, 37.

¹⁸ Skowronek, 37.

¹⁹ Skowronek, 23.

²⁰ Skowronek, 36.

continue the good work of the past and demonstrate the vitality of the established order.”²¹

Instead of serving as “great repudiators” who were elected “free from received political commitments” like reconstructive presidents, articulative presidents are instead “regime boosters” with “expansive opportunities to usher the nation into the promised land.”²² However, presidents in this context generally “rupture the political foundations on which the program rests,” “imploding the political order they were trying to elaborate” and causing the regime’s commitments to become vulnerable to repudiation.²³ Presidents who fall under this typology include James Monroe, Theodore Roosevelt, and Lyndon Johnson.²⁴

If a president is elected from the opposite party to follow a reconstructive president, that president is said to rule in a politics of preemption. In this situation, opposition leaders are tasked to lead in resilient regimes. While these presidents have the “freedom to act independently of established commitments, their repudiative authority is manifestly limited by the political, institutional, and ideological supports that the old establishment maintains.”²⁵ Preemptive presidents create programs designed to “aggravate interest cleavages and factional discontent within the dominant coalition” in an attempt to find reconstructive possibilities, despite their lack of a “clear warrant for breaking cleanly with the past.”²⁶ Instead of accessing the order-creating capabilities of the office, these presidents strengthen the resilience of the established commitments and “galvanize [the regime] into an order-affirming defense of the government as it was.”²⁷ Woodrow Wilson and Richard Nixon are examples of preemptive presidents.²⁸

²¹ Skowronek, 41.

²² Skowronek, 42–43.

²³ Skowronek, 42–43.

²⁴ Skowronek, 42.

²⁵ Skowronek, 43.

²⁶ Skowronek, 43–44.

²⁷ Skowronek, 44.

²⁸ Skowronek, 44.

Finally, the politics of disjunction refers to the condition where a president is affiliated with the party that is responsible for the current set of failing governmental commitments. In this situation, a president cannot establish credibility or legitimacy, as they must affirm their predecessor's flawed direction. Skowronek describes disjunction as an "impossible leadership situation,"²⁹ and one where "long-fester problems... sever the political moorings of the old regime and cast it adrift without anchor or orientation."³⁰ Through their "hapless struggles for credibility, they become the foils for reconstructive leadership."³¹ John Adams, Franklin Pierce, Herbert Hoover, and Jimmy Carter are examples of presidents who led in disjunctive times.³²

James Sundquist's research on party realignment provides another interesting layer to the political time literature. Realignment occurs when a voter's grievance with a party reaches the point where voting against their affiliation – repudiating the existing regime – is the only way they can reconcile the failed policy actions in charge.³³ Sundquist argues that realignment must be "durable."³⁴ Without a consistent change in voting behavior – or a change in the "political norm" – electoral results indicate deviation as opposed to realignment.³⁵ Sundquist thus posits three key aspects in realignment:

1) a realignment has its origins in the rise of a new political issue (or cluster of related issues), 2) to bring about a realignment, the new issue must be one that cuts across the existing line of party cleavage, and 3) to bring about a major realignment, the new issue must also be one powerful enough to dominate political debate and polarize the community.³⁶

²⁹ Skowronek, 39.

³⁰ Skowronek, 40.

³¹ Skowronek, 40.

³² Skowronek, 39.

³³ James Sundquist, *Dynamics of the Party System: Alignment and Realignment of Political Parties in the United States*, 2nd ed. (Washington, D.C.: The Brookings Institution, 1983), 42.

³⁴ Sundquist, 4.

³⁵ Sundquist, 5.

³⁶ Sundquist, 298–300.

Sundquist's findings support Skowronek's argument that disjunctive presidents are "foils for reconstructive leadership." A political development that would warrant realignment would likely stimulate a change in voter behavior from a partisan in a disjunctive president's party who desires a change from the failing ideological commitments. Shifts in partisan control thus become "integral and necessary elements" of party realignment,³⁷ and provide opposition leaders with the reconstructive opportunity to tear down institutional structures and build anew. Such reconstructive actions involve intentional political regeneration – including institutional reconstruction and party building – destroying residual institutional support for opposition interests and securing the dominant position of a new political coalition.³⁸

Research by Skowronek and Sundquist demonstrates the importance of political context for the reconstructive potential of a president. It seems like the politics of reconstruction is the most opportune time to pass far-reaching legislative programs and to successfully cause political change. The politics of articulation presents an interesting opportunity to "boost the regime" and "take the program to the promised land," however, I wonder how much change is possible before articulative leaders "rupture the political foundations." The politics of preemption and disjunction are not useful models to study when considering the question when change is possible.

Research conducted for the case studies in the following chapters will address if change can be enacted in a politics of articulation (as in the case of Lyndon Johnson), or if successful change is only attainable in reconstructive presidency.

³⁷ Sundquist, 8–9.

³⁸ Stephen Skowronek, "Presidential Leadership in Political Time," in *The Presidency and the Political System*, 8th ed. (Washington, DC: CQ Press, 2006), 130.

Mandates

A third factor that influences the political context in which a president operates is the perception of a mandate. There are two facets that underlie the idea of a mandate. The first is that “voters consciously use their votes to send a signal to government about their preferences... The second is that public officials receive the signal – and then act on it.”³⁹ Mandates are not fact, instead they are social constructions that politicians create through campaign spin and media coverage (although they do require tangible votes and electoral results to point to in the spin). By presenting the results of an election as a broad message of public support, the president-elect can claim a mandate that communicates “voter preferences for policy change.”⁴⁰ Mandates thus provide (socially constructed) evidence upon which the government acts.⁴¹

In their book *Mandate Politics*, Lawrence Grossback, David Peterson, and James Stimson argue that electoral results strongly influence the credibility of a mandate that can be claimed. They posit that mandates can credibly be constructed when there is a “big and uniform” electoral victory – when a party wins by a large margin, and down the ticket – or when the electoral victory – especially in down-ballot races – is unexpected.⁴² After the election, “journalists, politicians, and scholars explain the outcome... The simplest [explanation] is to say that the voters spoke, that they knew what the parties and candidates were offering and chose what they preferred.”⁴³

For Grossback, Peterson, and Stimson, this argument is the crux of a mandate. However, in order for a mandate to have effects on the political context, they argue that the mandate must

³⁹ Lawrence Grossback, David Peterson, and James Stimson, *Mandate Politics* (New York, NY: Cambridge University Press, 2006), 14.

⁴⁰ Grossback, Peterson, and Stimson, 14.

⁴¹ Grossback, Peterson, and Stimson, 28.

⁴² Grossback, Peterson, and Stimson, 35–40.

⁴³ Grossback, Peterson, and Stimson, 53.

change congressional voting behavior. It is only when members of Congress “react to these perceptions [the perception that the election is a mandate and a signal of changing constituent preferences] by changing their voting in the direction of the perceived change” that mandates are significant in creating change.⁴⁴

Through a comprehensive quantitative analysis of previous elections, Grossback, Peterson, and Stimson conclude that the elections of 1964, 1980, and 1994 are the only ones that created a mandate perception potent enough to influence congressional voting. Notably, my case studies surround the elections of 1964 and 1980. If my research supports the notion that those elections created successful change, it would also codify the importance of mandates in stimulating change.

Julia Azari presents an alternative version of a mandate in her book, *Delivering the People's Message*. Instead of focusing on mandates derived from electoral results, Azari posits a mandate that is created when presidents leverage the claim that they are the only popularly elected national official to justify the exertion of presidential leadership.⁴⁵ She calls this a delegate-driven mandate. Although presidents are generally expected to respond to public opinion – as is the basis of a public-driven mandate – the delegate-driven mandate pushes presidents to use “the bully pulpit to promote a moral and political vision in support of change.”⁴⁶ This mandate rhetoric, as Azari calls it, allows the president to “construct an electoral mandate from a close or otherwise indecisive election.”⁴⁷ Therefore, even if a president does not win by a large margin or in an unexpected victory – the conditions for a mandate as described in

⁴⁴ Grossback, Peterson, and Stimson, 65–66.

⁴⁵ Julia Azari, *Delivering the People's Message: The Changing Politics of the Presidential Mandate* (Ithaca, NY: Cornell University Press, 2014), 57.

⁴⁶ Thomas Cronin and Michael Genovese, *The Paradoxes of the American Presidency* (New York: Oxford University Press, 2004), 116. As cited in Azari, 57.

⁴⁷ Azari, 57.

Mandate Politics – the mandate rhetoric generates necessary legitimacy for the president to still undertake strong and decisive action. In the modern presidency, as independent action outside of what Article II explicitly outlines have increased, delegate-driven mandate rhetoric has also increased. Azari estimates that around 80% of the modern mandate rhetoric is delegate-based.⁴⁸

2.3 Constitutional Tools

Unilateral Action

The polarization and conflict that exist today between the president and Congress creates an environment more prone to stalemate than compromise. Governmental action, especially in a divided government, is not as feasible as it once was. Thus, recent scholarship has focused on unilateralism: the exercise of presidential power derived from the Constitution without congressional collaboration. Although the Constitutional separation of powers prevents the president from pushing through substantial legislation, the president has many tools at his disposal to initiate administrative and policy changes alone.⁴⁹ The arsenal of unilateral actions includes executive orders, proclamations, military orders, and executive agreements.⁵⁰

The overarching theory of unilateral action, originally posited by Terry Moe, argues that the presidency has become institutionalized over the past century. The term institutionalization describes the process of presidential activity having been increasingly channeled, structured, and routinized.⁵¹ The institutionalized president is the focal point of governance, largely held responsible for the successes and failures of government. This reality incentivizes presidents to

⁴⁸ Azari, 56.

⁴⁹ Kenneth Mayer, “Going Alone: The Presidential Power of Unilateral Action,” in *The Oxford Handbook of the American Presidency* (Oxford University Press, 2009), 427.

⁵⁰ Mayer, 427.

⁵¹ George A. Krause and Jeffrey E. Cohen, “Opportunity, Constraints, and the Development of the Institutional Presidency: The Issuance of Executive Orders, 1939-96,” *The Journal of Politics* 62, no. 1 (2000): 88.

strengthen their power and influence over governmental actions – constructing new powers out of the inherent ambiguities of the Constitution⁵² – as they attempt to maintain a good reputation and cement their administration into a vaunted position in presidential history.⁵³

Moe and scholar William Howell note that there are weak repercussions from the other branches of government in response to strong executive actions taken in the institutionalized presidency, which supports unilateralism. They argue that Congress has a “weak capacity for stopping them [presidents],” and that the Supreme Court is “unlikely to want to [take action against presidents and therefore] ... has incentives to be sympathetic.”⁵⁴ The constraints on executive actions are therefore significantly diminished, opening avenues for unilateralism.

Unilateral presidential action provides presidents the opportunity to circumvent the congressional gridlock and partisanship that prevails today. Over the past few decades, as partisanship has increased, scholars have found that the utilization of substantively significant executive orders has consequently increased, due to the diminished ability to “negotiate, build coalitions, bargain, and compromise.”⁵⁵ As such, Richard Waterman emphasizes the importance of updating Neustadt’s strategic presidency theory – which I will explain shortly – with one that now explains how the use, or the threatened use, of executive orders interplays with traditional bargaining.

Research reveals that unilateral action is most used in a divided government; one where “congressional inertia, indifference, or quiescence... invite[s] measures on independent

⁵² Terry Moe and William Howell, “Unilateral Action and Presidential Power: A Theory,” *Presidential Studies Quarterly* 29, no. 4 (December 1999): 870.

⁵³ Krause and Cohen, “Opportunity, Constraints, and the Development of the Institutional Presidency,” 90.

⁵⁴ Moe and Howell, “Unilateral Action and Presidential Power: A Theory,” 870.

⁵⁵ Richard Waterman, “Assessing the Unilateral Presidency,” in *The Oxford Handbook of the American Presidency* (Oxford University Press, 2009), 479.

presidential responsibility.”⁵⁶ In this situation, the typical lobbying and bargaining inherent with Congressional negotiation is rendered moot, as the gridlock prevents any significant policy action from taking place. As such, gridlock presents a “window of opportunity” for presidents to take advantage of during which they can use unilateral power to create policy that would not otherwise exist.⁵⁷ In times not as stymied by gridlock, such action can also serve to capture the attention of Congress and reshape the discussions that are occurring.⁵⁸

Overall, unilateralism provides the president with the unique opportunity to act first. This is counter to the usual legislative process, where policymaking and legislating occurs in the Congress, and the president must wait to act once the bill is delivered to his desk. Unilateral actions therefore can serve to provide the president legislative leverage, “capturing the attention of Congress,” “reshaping the discussions,” and generally giving the president some agenda setting power.

These bargaining implications are especially notable because measures like executive orders have limited capabilities. As I referenced in my introduction, unilateralism is “inherently fragile compared with legislative change.”⁵⁹ The system “demands... consensus and coalition building to achieve permanent reform.”⁶⁰ Therefore, unilateral actions cannot produce successful change as I have defined it. For “highly salient” issues, presidents still “seek change through the traditional legislative route.”⁶¹ Thus, while it is a useful tool to keep in mind, I do not anticipate unilateralism to be significant in my theory of change.

⁵⁶ Joel Fleishman and Arthur Aufses, “Law and orders: The problem of presidential legislation,” *Law and Contemporary Problems* (1976): 1-45. As cited in William Howell, “Unilateral Powers: A Brief Overview,” *Presidential Studies Quarterly* 35, no. 3 (September 2005): 429.

⁵⁷ Howell, 429.

⁵⁸ Howell, 426.

⁵⁹ Rudalevige, “Obama and the Unilateral Presidency: Imperial or Imperiled,” 241.

⁶⁰ Rudalevige, 241.

⁶¹ Waterman, “Assessing the Unilateral Presidency,” 480.

Veto Bargaining

Veto bargaining is another Constitutional tool that a president can leverage to try and instigate change. Article I of the Constitution grants presidents the power to veto, offering the president an opportunity to engage in interbranch bargaining and to leave their stamp on the legislative process.⁶² Veto usage is very low in a unified government.⁶³ It is also rare for minor legislation in a divided government. However, for landmark legislation in a divided government, “the probability of a veto for initially passed legislation was 20%.”⁶⁴

Scholar Charles Cameron argues that a veto is thus an important bargaining tool that a president can wield to influence legislation. When the president and Congress disagree, “the president has a strong incentive to use the veto if Congress presses its objectives too vigorously. Accordingly, Congress will anticipate vetoes and modify the content of legislation to head them off.”⁶⁵ A veto can therefore influence legislation without actually being used. This concept is called veto threat, as the threat of presidential interference forces Congress to make concessions and attenuate to presidential demands.

While veto bargaining and the use of the veto threat can influence the content of legislation, a president is still not able to create legislation. Therefore, while such bargaining may be helpful in adjusting the contents of a bill to fit the president’s vision, I do not anticipate this tool will contribute to presidentially instigated change.

⁶² Charles M. Cameron, *Veto Bargaining: Presidents and the Politics of Negative Power*, Political Economy of Institutions and Decisions (Cambridge: Cambridge University Press, 2000), 3, <https://doi.org/10.1017/CBO9780511613302>.

⁶³ Cameron, 25.

⁶⁴ Cameron, 25.

⁶⁵ Cameron, 9.

2.4 Legislative Skills

Importance of Presidential and Congressional Collaboration

Before diving into presidential skills and their role in facilitating legislative change, it is important to reiterate that most legislative powers are delegated to Congress in the Constitution. The president is in a weak position to try and direct legislation, therefore, after setting the agenda, they must fill more of a supportive role in the journey to passage.⁶⁶ The importance of presidential skills in the legislative process is up for debate. I will present both sides of the argument in the next subsection.

Due to frequent elections – every two years for Representatives and every six years for Senators – members of Congress live in a world of “uncertainty and insecurity.”⁶⁷ Legislators must constantly keep their eye on reelection. Politicians are tasked with keeping their fingers on the political pulse of their constituents in order to. As a result, the most politically pragmatic position is variable: politicians constantly are compelled to adjust their policy preferences based on the ever-evolving preferences of their constituents to keep their job.⁶⁸ Members of Congress prioritize being responsive to their constituents, as they can draw on legislative victories as evidence that they are adequately representing their voters. Constituents and their desires hold significant sway over elected officials. Garnering public support for their agenda thus is the most important step a president must take to prompt congressional collaboration.⁶⁹

⁶⁶ George Edwards, *Predicting the Presidency: The Potential of Persuasive Leadership*, *Predicting the Presidency* (Princeton, NJ: Princeton University Press, 2016), 2, <http://www.degruyter.com/princetonup/view/title/521803>.

⁶⁷ George Edwards, “Presidential Approval as a Source of Influence in Congress,” in *The Oxford Handbook of the American Presidency* (Oxford University Press, 2009), 342.

⁶⁸ Grossback, Peterson, and Stimson, *Mandate Politics*, 15.

⁶⁹ Edwards, *Predicting the Presidency*, 19.

To be effective at garnering public support, the president must be able to clearly communicate their message to the public⁷⁰ and develop a broad coalition of supporters.⁷¹ With politics as partisan as they are today, presidents generally have an established level of support from same-party constituents. While previously political theorists emphasized the importance of winning the support of moderate voters from the opposing party, the polarization today makes bipartisanship incredibly difficult. There is instead a high floor of co-partisan support, and a low ceiling for bipartisan cooperation. Creating opportunities therefore is less important for a president to do than solidifying co-partisan support to exploit existing opportunities.⁷² A key tenet in reinforcing co-partisan support is presidential signaling.⁷³ The act of presidential signaling – a visible and authoritative act of throwing support behind a position – is a highly effective way of cuing co-partisans on how to think about an issue, thus paving the way towards policy action.⁷⁴

Presidential scholar George Edwards also argues that presidential power in the legislative arena can be most effectively harnessed through persuasively presenting policy initiatives and engaging in legislative advocacy.⁷⁵ Controlling the public agenda is key to successful advocacy. Presidents therefore face the constant task of convincing the public that presidential initiatives align with public desires.⁷⁶ Articulation and timing are two other important aspects of presidential advocacy. It is imperative for a president to intentionally frame an initiative. Frames that present initiatives as revolving around widely held values are particularly effective, because the president can then reference the values as opposed to policy specifics to maximize public

⁷⁰ Edwards, 30.

⁷¹ Edwards, 23.

⁷² Edwards, 73.

⁷³ Edwards, 80.

⁷⁴ Edwards, 130.

⁷⁵ Edwards, 107.

⁷⁶ Edwards, 107.

favor.⁷⁷ The timing of the roll-out of a policy is also significant. Change is most likely to be embraced, and most effectively implemented, when the public is ready for it. Such logic aligns with the Kingdon policy window literature described earlier: the soil (political climate) must be fertile for a seed (policy idea) to take hold and grow (reach political realization).⁷⁸ In these conditions, a presidential initiative advancing change becomes not a new policy, but the de facto status quo.⁷⁹

An obstacle that arises with presenting a bold presidential agenda to the public, especially one that challenges the status quo, is that the public has a general “predisposition for loss aversion.”⁸⁰ In other words, small incremental changes are generally preferred over sweeping ones. A political mandate is an effective mechanism that presidents utilize to circumvent loss aversion and raise public support. After elections, politicians on the winning side are “emboldened to recalibrate their positions in the direction of their true preferences” while “those on the losing side are threatened by future defeat and pressed to move toward the ‘message’ for electoral security.”⁸¹

Through harnessing the momentum created through reaching a “shared conclusion” that a mandate exists, mandates become useful tools to challenge the inertia of the status quo. In general, from a congressional vulnerability lens, there is safety in protecting the status quo. However, in harnessing the desires of the public through mandate perception the president can stimulate legislative action by making it seem “electorally wise” to follow the mandate and “be identified as an agent of change.”⁸²

⁷⁷ Edwards, 114.

⁷⁸ Kingdon, *Agendas, Alternatives, and Public Policies*, 76–77.

⁷⁹ Edwards, *Predicting the Presidency*, 111.

⁸⁰ Edwards, 32.

⁸¹ Grossback, Peterson, and Stimson, *Mandate Politics*, 16.

⁸² Grossback, Peterson, and Stimson, 186.

Charles Jones argues in his 1999 book *Separate but Equal Branches: Congress and the Presidency* that true political change can only occur when there is agenda congruity. In his theory, agenda congruity requires:

“(1) the president and congressional leaders must agree on the basic ideological premises of policy solutions that are acceptable to the public; (2) national political actors must be responsive to changes in national politics; and (3) there must be a strong base of support in Congress for the recognized policy solutions.”⁸³

Mandates align agendas through asserting that the voting public has communicated their policy preferences through the results of the previous election. Presidents can thus utilize this construed congruity to drive their agenda through Congress and enact the policy changes they envisioned when running.

Presidential negotiation with Congress is another core tenet of presidential involvement in the legislative process. Because the Constitution does not give the president significant executive powers to utilize and make commands to Congress, presidents must generate legislative influence through persuasion and bargaining.⁸⁴ Bargaining power is partly derived from authority and status.⁸⁵ Therefore, the first and most important task a president faces revolves around garnering legitimacy in the eyes of their fellow government officials. Legitimacy conveys status and status begets authority, thereby allowing a president to influence legislative action, although it is technically outside of their Constitutional jurisdiction.⁸⁶ The strategic presidency is thus an essential component to enacting the presidential agenda through collaboration with Congress.

⁸³ Charles Jones, *Separate but Equal Branches: Congress and the Presidency*, 2nd ed. (New York, NY: Chatham House Publishers, 1999). As cited in Grossback, Peterson, and Stimson, 154–55.

⁸⁴ Richard Neustadt, *Presidential Power: The Politics of Leadership* (New York, NY: John Wiley & Sons, Inc., 1960), 38.

⁸⁵ Neustadt, 36.

⁸⁶ Neustadt, 26.

A president's reputation is one of the primary determinants of their legitimacy and, consequentially, their efficacy as bargainers. Reputations are developed over time and are shaped by actions taken throughout one's political career.⁸⁷ Once in office, each decision to act or not-to-act builds or detracts from the president's reputation. Reputations, once built, can thus be leveraged into political success by drawing on past instances of success to garner favor and trust. The second well from which presidents derive legitimacy is public prestige. Public prestige, or public support, strongly influences congressional interactions with the president. For members of Congress, based on the nature of frequent elections, constituent approval is a significant factor in all political decisions. Neustadt sums this up nicely, writing that "the prevalent impression of a President's public standing tends to set a tone and to define the limits of what Washingtonians do for him, or do to him."⁸⁸

Leadership and Skills

Upon understanding the president's role in passing legislation, and specifically how the executive branch interacts with the legislative branch to support the presidential agenda, it is important to consider the role that skills can play to enhance the president's affect. There are two schools of thought on this subject; the first holds that skills and leadership style play an important role in the success of a president's legislative program. The other holds that skills may be helpful in certain situations, but largely their influences are felt "at the margins."⁸⁹

Building on his theory of the modern presidency introduced in the previous chapter, Fred Greenstein argues that "the highly personalized nature of the modern American presidency

⁸⁷ Neustadt, 53.

⁸⁸ Neustadt, 89.

⁸⁹ George Edwards, *At the Margins: Presidential Leadership of Congress* (Binghamton, NY: Vail-Ballou Press, 1989).

makes the strengths and weaknesses of the White House incumbent of the utmost importance.”⁹⁰

A president’s success is thus largely based on their leadership, where political prowess and mental health are the means that allow them to achieve policy ends.⁹¹ In his book, *The Presidential Difference*, Greenstein focuses on the leadership qualities of each president from Franklin Roosevelt to George W. Bush and “their significance for the public and political community.”⁹² He posits that presidential skills can be used to capitalize on opportunities and to compensate for limitations – either their own leadership deficiencies or a restrictive political context.

Greenstein’s theory focuses on six qualities that relate to presidential job performance: proficiency as a public communicator, organizational capacity, political skill, a vision of public policy, cognitive style, and emotional attention. I believe that effectiveness as a public communicator, organizational capacity, and political skill are the most compelling skills that he presents.

The ability to effectively communicate policy ideas – framing them in relatable values, persuading the public of their importance – is extremely important in advancing an agenda. George Edwards’s strategies for exploiting existing opportunities supports this idea. Organizational capacity, forging a team and getting the most out of it,⁹³ is also an important skill. As John Kingdon reveals, policy communities are large, with many actors. Therefore, executive organization and capacity is essential to addressing issues of the time. Finally, as Richard Neustadt argues, political skills – legislative bargaining and negotiation – are essential for a

⁹⁰ Fred Greenstein, *The Presidential Difference: Leadership Style from FDR to Barack Obama*, 3rd ed. (Princeton, NJ: Princeton University Press, 2009), 219.

⁹¹ Greenstein, 4.

⁹² Greenstein, 5.

⁹³ Greenstein, 226.

president to “put his stamp on public policy in the readily stalemated American political system.”⁹⁴

On the other side of the skills argument are scholars like George Edwards, who acknowledge the value of skills, but argue that they only help “on the margins.” Constitutional separation of powers prevents either the president or Congress from “acting unilaterally on most important matters.”⁹⁵ However, based on their differing responsibilities and constituencies, the system “guarantees that [the two branches] will often view issues and policy proposals differently.”⁹⁶ Therefore, Edwards says, “our political system virtually compels the president to attempt to lead Congress.”⁹⁷ Skills are a part of these attempts.

Edwards presents three sources of presidential influence over Congress: party support, public support, and legislative skills. Upon analyzing the three sources of influence however, he found that legislative skills were not significant – “there was little variance between presidents who were highly skilled... and others, who had reputations for being much less skilled.”⁹⁸ He argues instead that party support played a large role in legislative victories, specifically referencing Johnson in the 1960s and Reagan in the 1980s (notable for my case studies). “By the time a president tries to exercise influence on a vote, most members of Congress have made up their minds.”⁹⁹ Instead of legislative skills being able to exert influence, more stable factors, such as “ideology, personal views and commitments on specific policies, and the interest of constituencies” have already informed congressional voting behavior.¹⁰⁰

⁹⁴ Greenstein, 227.

⁹⁵ Edwards, *At the Margins: Presidential Leadership of Congress*, 1.

⁹⁶ Edwards, 1.

⁹⁷ Edwards, 1.

⁹⁸ Edwards, 170.

⁹⁹ Edwards, 174.

¹⁰⁰ Edwards, 174.

Thus, legislative skills are “likely to be critical only for those members of Congress who remain open to change,” a small minority especially in the hyper-partisan environment of 2021.¹⁰¹ While they are a source of influence over Congress, Edwards ultimately argues that they are only beneficial “at the margins,” and “are not likely to be at the core of policy change.”¹⁰²

There is a range of opinions in the literature regarding the importance of skills in a president’s success. Looking to Lyndon Johnson – a president with renowned legislative bargaining skills – and Ronald Reagan’s – a president with oratorical prowess – will help determine the actual utility of skills in the context of my research.

2.5 The Ideal Conditions for Policy Change

Stephen Skowronek describes the presidency as an “order-shattering, order-affirming, and order-creating” institution in *The Politics Presidents Make*. Of these potentialities of a presidency that Skowronek defines below, the “order-creating” aspect is especially pertinent to my work, and merits delving into to explore when change is possible:

Presidential action in history is politicized by the order-shattering, order-affirming, and order-creating impulses inherent to the institution itself. The presidency is an *order-shattering* institution in that it prompts each incumbent to take charge of the independent powers of his office and to exercise them in his own right. It is an *order-affirming* institution in that the disruptive effects of the exercise of presidential power must be justified in constitutional terms broadly construed as the protection, preservation, and defense of values emblematic of the body politic. It is an *order-creating* institution in that it prompts each incumbent to use his powers to construct some new political arrangements that can stand the test of legitimacy within the other institutions of government as well as the nation at large.¹⁰³

¹⁰¹ Edwards, 174.

¹⁰² Edwards, 174.

¹⁰³ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 20–21.

The *order-creating* characteristic of the presidency, when harnessed in a fertile political climate, offers insight into when political change is truly possible. Reflecting on the theories I have presented in this chapter – Kingdon, Skowronek, Neustadt, Edwards, and Howell – there are many avenues a president can take to influence legislation and promote their agenda. I will now conclude this review of existing research by presenting my hypothesis of what is necessary for a president to successfully facilitate political change.

The President as Order-Creating: Pulling the Threads Together

Change, by my definition, is a significant departure from the status quo, stimulated by a piece of legislation. Therefore, a successful president is one who can facilitate the passage of their preferred agenda. With this in mind, it is important to evaluate 1) what conditions are most conducive to change; 2) what tools a president has at their disposal to influence passage of legislation, in a time that is conducive to change; and 3) what skills a president can bring into office to help them utilize tools in a moment of change.

This literature review has revealed that there are a few determinants to a moment being ripe for change. First, a policy window is necessary for legislation to be created and considered. Policy windows, times when the political climate is fertile for an idea to be planted and grow – to follow Kingdon’s agricultural metaphor – occur sporadically.¹⁰⁴ Consistent initiators of policy windows are renewals (reauthorization of governmental programs), the budget cycle, and regular addresses (like the State of the Union).¹⁰⁵ Elections, especially ones that represent the ascension of a president-elect who is replacing an incumbent from the opposing party and a vulnerable regime, also provide ample opportunity for successful change. Skowronek calls this political

¹⁰⁴ Kingdon, *Agendas, Alternatives, and Public Policies*, 76–77.

¹⁰⁵ Kingdon, *Agendas, Alternatives, and Public Policies*.

moment a politics of reconstruction: a condition primed for the repudiation of a failing ideology and an overall reconstruction of the political order.¹⁰⁶ Such reconstructive potential can be leveraged to fulfill policy windows as they open, and this represents the condition most conducive to change. Mandates also contribute to create an opportune context.

The tools a president has at their disposal in a reconstructive time are vested in them through the Constitution. Based on the Framers' fears of a tyrannical executive, most of the legislative powers are delegated to the Congress through the separation of powers. As a result, the President must work within their capacities to influence the legislative process. This includes various unilateral actions – including executive orders and the veto – explicitly accorded to them in Article II and the veto threat. However, the literature also suggests that the system “demands... consensus and coalition building to achieve permanent reform,”¹⁰⁷ weakening the argument for the importance of tools in this thesis.

Finally, presidents can bring skills into office, developed over the course of their political career, to best harness these tools. Skills can include a nuanced understanding of the legislative process, drawing on Neustadt's legislative bargaining skills to make deals, concessions, and compromises to ensure the passage of key provisions. It also includes knowing how to take advantage of committee leadership and co-partisan support in Congress, or also knowing which opposing legislators to curry favor with in order to gain bipartisan votes. Skills can also refer to oratorical prowess, harnessing the power of “going public”¹⁰⁸ to move public opinion through powerful words and sentiments. Overall, skills encompass the knowledge of the power of the

¹⁰⁶ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 27.

¹⁰⁷ Rudalevige, “Obama and the Unilateral Presidency: Imperial or Imperiled,” 241.

¹⁰⁸ Jeffrey Tulis, *The Rhetorical Presidency* (Princeton, NJ: Princeton University Press, 1987).

presidency, and advanced utilization of all advantages conferred with the prestige of having the most powerful position in the country.

Thus, I hypothesize that successful change is most feasible in a reconstructive time, harnessing a mandate perception to capitalize on a policy window. I do not think that tools presented by the Constitution will be that effective in change, besides possibly providing leverage for a president to set the agenda. Finally, I believe that legislative skills and leadership capabilities will enhance a president's effects to influence congressional legislative processes. Specifically, I believe that legislative skills, organizational capacity, and effective communication are the most important skills.

Through completing case study analyses of Presidents Lyndon Johnson and Ronald Reagan, I will determine if these hypotheses are consistent with the actual results of two presidents who are revered for the legacies of their legislative programs. After analyzing their political contexts, their utilization of tools, and the specific skills they each brought to office, I will apply the lessons learned to the current administration. I am in the unique position of being able to witness and track President Biden's legislative activities in the first four months of his presidency as I undertake this project. I will conclude this thesis by predicting the success of President Joe Biden, and to what degree I believe he will be able to change this nation.

Chapter 3: A Great Society?

3.1 What Can Johnson Do?

Based on the literature that I reviewed in the previous chapter, I believe that Lyndon Johnson ascended to the presidency with a large potential to successfully attain meaningful change. Johnson took the oath of office from Air Force One on November 22, 1963, hours after the young President John F. Kennedy was assassinated. While the assassination rocked the country, it also became a focusing event – thus opening a policy window – that the country could unify behind. It generated momentum for Johnson to pass legislation for the sake of continuing the Kennedy legacy. The assassination provided Johnson with a mandate, which he claimed in his first address to Congress after Kennedy’s murder saying “no... eulogy could more eloquently honor President Kennedy’s memory than the earliest possible passage of the civil rights bill for which he fought so long.”¹ This context – in addition to the fact that Johnson was a Democrat in a time where the established liberal commitments were resilient thanks to the continued success of New Deal Programs – created opportune conditions for Johnson to operate in and pass the inherited agenda.

After the passage of the Civil Rights Act of 1964, the Revenue Act of 1964 Cut, and the Economic Opportunity Act, Johnson remained popular with an approval rating of 74 percent in June of 1964, just a few months before the election.² He beat Republican nominee Barry Goldwater – a Senator whose extreme conservatism was too early for its time – by 16 million popular votes, and he won 486 out of 540 electoral college votes.³ President Johnson was able to

¹ Pre-Presidential Papers: *Lyndon B. Johnson, 1963-1964*, I, 9-10. As cited by Robert Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973* (New York, NY: Oxford University Press, 1998), 60.

² “Presidential Job Approval Center – Lyndon Johnson,” Gallup, 2021, <https://news.gallup.com/interactives/185273/presidential-job-approval-center.aspx>.

³ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 183–84.

claim an electoral mandate from this sweeping victory, providing further justification for pursuing his ambitious Great Society program.⁴ The political conditions for affecting change thus were further ripened by the election.

Referring to the Skowronek typology, Johnson took office in a politics of articulation – he was affiliated with the previous president and presided over resilient regime commitments (New Deal liberalism). This places Johnson in a place where he must serve as a “regime booster,” continuing the Democratic legislative programs instead of repudiating a failing regime and reconstructing the political order.⁵ While not the most ideal opportunity for successfully enacting change according to my hypothesis, Johnson should still be in a position to be an “orthodox innovator,” “galvanizing political action with promises to continue the good work of the past” and “ushering the nation into the promised land.”⁶

After reviewing the political conditions that Johnson became president in, I predict that he successfully passed his policy agenda and created legislative change.

I do not predict that Johnson will need to use either of the presidential tools – unilateral action and veto bargaining – much to pass his program. Unilateralism is most often used to overcome congressional gridlock in a divided government.⁷ Similarly, veto bargaining is primarily used in a divided government and serves to influence the contents of a bill when a president is disconnected from the legislative process.⁸ When Lyndon Johnson assumed the

⁴ Lawrence Grossback, David Peterson, and James Stimson provide quantitative evidence in their book *Mandate Politics* that the 1964 election produced a significant electoral mandate – one of the few that tangibly influenced the voting behavior of members of Congress. This is also an important point to make that creates a large potential for strong legislative influence on the part of the president. I will examine this in more depth later in the conclusion of this chapter.

⁵ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 42.

⁶ Skowronek, 41–42.

⁷ Joel Fleishman and Arthur Aufses, “Law and orders: The problem of presidential legislation,” *Law and Contemporary Problems* (1976): 1-45. As cited in Howell, “Unilateral Powers: A Brief Overview,” 429.

⁸ Cameron, *Veto Bargaining*, 9–25.

presidency in 1963, Democrats in the 88th Congress had an 82-seat majority in the House and a 32 seat majority in the Senate.⁹ In the 89th Congress, Democratic majorities grew in both chambers.¹⁰ While the 90th Congress had slimmer majorities in both chambers than it had between 1963 and 1966, the caucus maintained a sizeable advantage.¹¹ Although in the 1960s party identification was less indicative of voting behavior than it is in the polarized political environment today, I predict that with such large majorities, Johnson rarely used these tools.

George Edwards's scholarship would argue that such large party majorities portend legislative success, as simply exploiting existing opportunities should garner a large portion of the votes needed to pass a bill.¹² One way to exploit existing resources is to control the public agenda and present policy initiatives effectively.¹³ Articulation and timing are especially essential to effectively presenting initiatives.¹⁴ As a veteran of both houses of Congress, and having served as Senate Majority Leader for 5 years, I predict that Johnson would be good at agenda setting and presenting policy.

Presidential scholar Richard Neustadt writes that from the moment a president is sworn in, they are confronted with the dilemma of how to make their power work for them.¹⁵ Presidents and their effectiveness, Neustadt argues, should be measured based on their influence over governmental outcomes. A president's strength or weakness, thus, "turns on his personal

⁹ "Congress Profiles: 88th Congress (1963-1965)," History, Art & Archives: United States House of Representatives, 2021, <https://history.house.gov/Congressional-Overview/Profiles/88th/>; "Party Division," United States Senate, 2021, <https://www.senate.gov/history/partydiv.htm>.

¹⁰ "Congress Profiles: 89th Congress (1965-1967)," History, Art & Archives: United States House of Representatives, 2021, <https://history.house.gov/Congressional-Overview/Profiles/89th/>; "Party Division."

¹¹ "Congress Profiles: 90th Congress (1967-1969)," History, Art & Archives: United States House of Representatives, 2021, <https://history.house.gov/Congressional-Overview/Profiles/90th/>; "Party Division."

¹² Edwards, *Predicting the Presidency*, 73.

¹³ Edwards, 107.

¹⁴ Edwards, 107–37.

¹⁵ Neustadt, *Presidential Power: The Politics of Leadership*, vii.

capacity to influence the conduct of the men who make up government.”¹⁶ Neustadt calls the president the “Great Initiator,” and argues that presidential bargaining and persuasion are the most significant mechanisms that presidents can use to exert legislative influence on Congress.¹⁷

From a skills perspective, exploiting existing opportunities (consolidating co-partisan votes) and negotiating seem to be strengths for Lyndon Johnson. Historian Robert Caro referred to Johnson’s legislative skills as a “particular talent” and “a rare gift,” writing that in legislating Johnson was a “political genius in action.”¹⁸ He is also remembered as a “master mediator” who could “finesse” political divisions and “broker the various interests of its [the Eisenhower administration and Congress] factions brilliantly.”¹⁹ Based on Johnson’s legislative prowess, I predict that he could be a “Great Initiator,” and that his political skills will aid in the passage of his programs.

Before making a final prediction, it is important to note that the Vietnam War – a deeply unpopular war – erupted during Johnson’s term. I anticipate that the political consequences of the war likely stalled Johnson’s legislation as the American position in the war worsened. However, an analysis of Johnson’s position based on the theory I have reviewed leads me to predict that Johnson should be very successful in facilitating legislative change, especially due to a favorable political context and his well-developed political skills.

¹⁶ Neustadt, 2.

¹⁷ Neustadt, 6.

¹⁸ Robert Caro, *The Years of Lyndon Johnson: The Passage of Power*, vol. 4 (New York, NY: Alfred A. Knopf, 2012), xvi.

¹⁹ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 334.

3.2 From Stonewall to the Capitol

Life Before Politics

Lyndon Baines Johnson (often referred to as LBJ²⁰) was born in 1908 in Stonewall, Texas, a rural town deeply rooted in Southern agricultural tradition. Johnson was exposed to poverty starting early in his life; Stonewall did not have electricity, paved roads, nor indoor plumbing.²¹ His father, Samuel Johnson Jr., was a farmer and investor in cotton futures. He also served as an elected member of the Texas state legislature. Johnson's mother, Rebekah, raised Lyndon and his four siblings.²² The Johnson family reached relative economic prosperity when Johnson was young, and they moved to Johnson City – a town of 323 with similarly ubiquitous economic hardships as Stonewall – in 1913. However, “poverty shadowed the picture” of life in Johnson City.²³ Many families could not afford food. Books, dolls, and baseballs were a “luxury,” and those that existed were ragged hand-me-downs.²⁴ In the 1920s, Sam Johnson's farm and cotton futures failed, and the family fell into poverty,²⁵ requiring charitable donations of food from neighbors at times when they could not afford dinner.²⁶

American political historian Julian Zelizer writes that Johnson was “an intelligent young man but not a disciplined student,” who was more interested in “following politics and playing with the neighborhood boys” than applying himself academically.²⁷ One day, when 12-year-old

²⁰ Robert Caro explains on page 5 of *The Passage of Power* that Johnson instructed his assistant Horace Busby to start referring to him as LBJ in 1948. Johnson was a staunch supporter of Franklin Delano Roosevelt (FDR), and thought it would make him appear more presidential to also be referred to by his initials. This anecdote also demonstrates how long Johnson aspired to be president.

²¹ Julian Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society* (New York, NY: Penguin Press, 2015), 65.

²² Zelizer, 65.

²³ Robert Caro, *The Years of Lyndon Johnson: The Path to Power*, vol. 1 (New York, NY: Alfred A. Knopf, 1982), 114.

²⁴ Caro, 1:114.

²⁵ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 66.

²⁶ Caro, *The Passage of Power*, 4:3.

²⁷ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 65.

LBJ was at school, he looked up at the sky and said to his friends “someday, I’m going to be President of the United States.”²⁸ This remark was unprompted and is the first instance in the historical record where he expressed his strong and unquestionable desire to follow his father’s footsteps, enter politics, and become president. However, Johnson did not particularly enjoy school, so he began working construction immediately after graduating from high school. He worked for three years, before declaring “I’m tired of working just with my hands, and I’m ready to start working with my brain.”²⁹ His return to school began his journey into politics.

In 1927, Johnson enrolled at Southwest Texas State Teachers College, an institution of higher learning “intended for students who were planning to go into teaching as a vocation.”³⁰ He worked as a janitor through college to pay for books, room, and board. Upon graduating, Lyndon started teaching in Cotulla, Texas, a rigidly segregated town in the south of the state with a large Mexican American population.³¹ Johnson dove into his teaching to support his impoverished and oppressed students, later reflecting that white Texans treated Mexicans “worse than you’d treat a dog.”³²

Johnson’s love of politics, fostered throughout his childhood, drew him out of teaching in 1931. Congressman Richard Kleberg hired Johnson to be his secretary in his Washington D.C. office. This initial position served as the launching point for LBJ’s growth into the titan of government that he is remembered as today.

²⁸ Caro, *The Years of Lyndon Johnson: The Path to Power*, 1:100.

²⁹ Quoted from Larry King, “Bringing Up Lyndon,” *Texas Monthly*, Jan. 1976, 83. As cited in Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 66.

³⁰ Zelizer, 66.

³¹ Zelizer, 66.

³² Zelizer, 67.

The Formation of Johnson's Political Ethos

Although Lyndon Johnson's first job in politics was not until he was 23, his love of politics and belief in the potential of government spawned from his childhood trips with his father to the state legislature. Sam Johnson was known as a "populist who railed against the power of corporations and defended the needs of workers."³³ The elder Johnson's influence over his son's political ethos was compounded by Franklin Roosevelt's New Deal liberalism that governed the country when LBJ entered politics. Johnson was a New Deal man; a man who deeply believed that the federal government should provide economic and social support to low-income, marginalized individuals.

Especially important to Johnson's political ethos was his recognition of the value of a quality education, derived from his experience teaching and own personal belief that his education allowed him to escape his Stonewall roots. Education really served as a proxy for his general New Deal belief in the importance governmental programs to support Americans seeking to improve their societal position. Johnson felt strong empathy and connection to poor Americans, regardless of their skin color, because of his experiences as a young man in rural Texas.³⁴ Historian Robert Dallek writes that Johnson "identified with and viscerally experienced the suffering of the disadvantaged."³⁵ He had personally experienced poverty intermittently in his childhood and had seen the stark impact of poverty on his neighbors in Stonewall, Texas and on his Mexican American students in Cotulla, Texas. As a result, Johnson pursued the moral

³³ Zelizer, 65.

³⁴ Zelizer, 73.

³⁵ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 113.

issue of fairness with a “keenness few could fully understand,”³⁶ driving policies with the overarching goal of passing laws that would “make a difference in people’s lives.”³⁷

In a conversation with his biographer Doris Kearns, Johnson explicitly explained his desire to be president, saying:

Some men want power simply to strut around the world and to hear the tune of ‘Hail to the Chief.’ Others want it simply to build prestige, to collect antiques, and to buy pretty things. Well, I wanted power to give things to people – all sorts of things to all sorts of people, especially the poor and the blacks.³⁸

Acknowledging that LBJ likely was angling to have a favorable biography written to solidify his place in American history, his statement is largely in line with the political ethos revealed through his action and in studies by other historians.

Rise to the Presidency

The opportunity presented to a young LBJ in Congressman Rich Kleberg’s office was unique. Kleberg was “profoundly uninterested in the job of legislating and spent little time in his office,” and Johnson took advantage of that fact, seeking as much political responsibility and experience as possible. He also networked throughout the House.³⁹ Johnson acted “like a party leader,” convening a “Little Congress” of the staffers for the other members of the Texas delegation to create an open line of communication and to legislatively strategize.⁴⁰ Johnson also lobbied Kleberg to support populist legislation in line with Johnson’s own New Deal ethos, although Kleberg was more in favor of small government. Johnson’s efforts earned recognition

³⁶ Dallek, 113.

³⁷ Dallek, 68.

³⁸ A quote from a conversation between Lyndon Johnson and his biographer Doris Kearns. As quoted in Dallek, 6.

³⁹ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 67.

⁴⁰ Zelizer, 67.

from prominent Texan politicians, including Congressman Sam Rayburn – the future Speaker of the House.

As a result of Johnson's continued demonstration of an astute political acumen in the Kleberg office, Rayburn recommended to President Roosevelt that he appoint LBJ as director of the National Youth Administration (NYA) in Texas in 1935.⁴¹ As director, Johnson was charged with running a New Deal program that provided unemployed Americans with education and vocational training. He quickly gained a reputation in Washington and Texas as an "effective administrator with shrewd political skills."⁴² The Texas NYA, under Johnson's leadership, became the best of all the state operations, and Lyndon gained recognition especially for the "intense compassion for the impoverished communities" that he was serving.⁴³ Johnson quickly emerged as someone especially interested in improving the conditions of Mexican-Americans and African-Americans, a near-unique attribute for a white southern Democrat. This dedication to working to improve the conditions for all Americans, no matter their skin color, serves as a precursor to Johnson's eventual dedication to eradicating poverty through the Great Society legislation he fought to pass as president nearly 30 years later.

Johnson's career as an elected official began two years later, when he was elected in a 1937 special election to represent the Tenth District of Texas in the House of Representatives. Congressman Johnson is remembered as the "perfect Roosevelt man,"⁴⁴ an ardent New Deal and FDR supporter even when his fellow southern Democrats broke from the president's populist policies. Lyndon maintained a close relationship with Sam Rayburn, who rose to Speaker of the

⁴¹ Zelizer, 67.

⁴² Zelizer, 68.

⁴³ Zelizer, 68.

⁴⁴ A quotation from one of Roosevelt's aides, from Bruce Schulman, *Lyndon B. Johnson and American Liberalism: A Brief Biography with Documents*, 2nd ed. (Boston: Bedford, 2007). As quoted in Zelizer, 68.

House during Johnson's time in the House. Rayburn took Johnson under his wing and provided Lyndon with seasoned political advice throughout his time in the lower chamber. LBJ lost his first Senate race in 1941, but advanced to the Senate through a victory of 87 votes in a 1948 election.⁴⁵

Lyndon Johnson excelled in the Senate. He loved the "wheeling and dealing," and quickly ascended through the ranks.⁴⁶ He was elected Senate Minority Leader in 1953, and, after Democrats gained a majority in the chamber in the 1954 midterm elections, he took the gavel as the Senate Majority Leader. As Leader, LBJ controlled the floor. He was a gifted negotiator, persuading fellow Senators to vote alongside his preferences by "patting a senatorial shoulder, grasping a senatorial lapel, jabbing a senatorial chest – jabbing it harder and harder if the point was still not being taken – and then hugging the senator when it was."⁴⁷ In his "creation of and use of legislative power, Lyndon Johnson proved himself to be possessed of a talent that was beyond talent – a rare, instinctive gift."⁴⁸ The development of this gift during his time in the Senate produced exemplary legislative skills that he could draw on as president, aiding in the passage of his agenda.

The role of Majority Leader proved to be a political challenge, as there was a growing cohort of liberal Democrats that were outranked by senior southern committee chairmen who directed the caucus's legislation.⁴⁹ Johnson, however, adeptly navigated this challenge, gaining support from liberal and southern Democrats alike, placing him at the forefront of the Democratic party and making him a strong candidate in the 1960 Democratic primary.

⁴⁵ Johnson's 87 vote victory was mired in controversy, with allegations of both candidates tampering with votes. Zelizer, 71.

⁴⁶ Zelizer, 71.

⁴⁷ Robert Caro, *The Years of Lyndon Johnson: Master of the Senate*, vol. 3 (New York, NY: Alfred A. Knopf, 2002), xviii–xix.

⁴⁸ Caro, 3:xxii.

⁴⁹ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 71.

John F. Kennedy and the Political Context of the 1960s

Lyndon Johnson declined to participate in any of the 1960 primary elections,⁵⁰ and he decided not to campaign in non-primary states for delegate support⁵¹ prior to the 1960 Democratic National Convention. Instead, he declared his candidacy ahead of the convention with the hope of winning enough delegate votes, based on his strong senatorial leadership record, to become the party's nominee. He had no such luck. The young and charismatic Senator John F. Kennedy from Massachusetts had wooed the nation in the runup to the convention. He had won most primary elections prior to the convention and ended up receiving over 56% of the delegate support on the first ballot.⁵² Johnson, at the behest of Kennedy, was unanimously selected to serve as his running mate. The Democratic party hoped Johnson could help deliver Kennedy the south. Johnson contributed significantly, sparking the ticket to electoral victories in Texas, six other southern states, and, consequently, to the presidency.⁵³

Johnson had mixed feelings about accepting the Vice Presidency. Although he believed it would position him well to become president after Kennedy's administration – a dream that he had held since age 12 – he hated being second fiddle.⁵⁴ He especially hated being second fiddle to the younger, less experienced Kennedy. Behind his back, Johnson would call Kennedy “sonny boy” and a “‘lightweight’ who needed ‘a little gray in his hair.’”⁵⁵ Initially, Johnson felt defeated by being relegated to what he considered a dead-end position. He attempted to redefine the vice presidency and play a more prominent role in the administration; however, both President

⁵⁰ There were 16 primaries in 1960 (Caro, *The Passage of Power*, 13).

⁵¹ Presidential nomination depended on delegate support at the convention. Thus, it was typical for presidents to meet with the men who would “select, and in some cases, control the delegates who would cast votes at the convention” to lock up delegates before other candidates did (Caro, *The Passage of Power*, 13).

⁵² Andrew Glass, “Democrats Nominate JFK for President, July 13, 1960,” POLITICO, July 12, 2017, <https://www.politico.com/story/2017/07/12/democrats-nominate-jfk-for-president-july-13-1960-240373>.

⁵³ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 7.

⁵⁴ Dallek, 1.

⁵⁵ Dallek, 7.

Kennedy and his brother, Robert Kennedy, the Attorney General, deeply distrusted Johnson and his capacity to support and not undermine the president.

Thus, instead of drawing on Johnson's deep ties in the Senate and reputation for tenaciously passing legislation, Kennedy used Johnson as a goodwill ambassador overseas, assigned him to oversee the expansion of the U.S. presence in outer space, and appointed him the chairman of the Committee of Equal Employment Opportunity (CEEEO).⁵⁶ Vice President Johnson had deep respect for the office, and therefore undertook his assignments from President Kennedy with vigor, albeit also with some grumbling, and was generally successful.⁵⁷ The same success cannot be attributed to President Kennedy's legislative agenda as, without being able to garner support from southern Democrats, his education bill and proposed tax cut were both stymied by Congress. Kennedy found himself unable to pass the trademark legislation that he campaigned on.⁵⁸ He also was unwilling to directly address the racial injustice and civil rights movement that had generated significant momentum and support in the early 1960s.

The inability of the administration to pass legislation and to advance the progressive agenda that the country was anticipating when electing the young Kennedy frustrated Johnson, as he thought they were missing out on a big opportunity in the unified Democratic government. As Lyndon Johnson once said when complaining about Kennedy's challenges in passing legislation, "You can't start yelling 'frog' at everybody and expect 'em to jump!"⁵⁹ The following case study will examine how Johnson was able to get Congress to "jump" and pass bills during his tenure as president.

⁵⁶ Dallek, 8–30.

⁵⁷ Dallek, 44.

⁵⁸ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 60.

⁵⁹ As quoted in Andrew Rudalevige, "President Trump Couldn't Pass Obamacare Repeal. This Is Why.," *Washington Post*, March 24, 2017, sec. Monkey Cage, <https://www.washingtonpost.com/news/monkey-cage/wp/2017/03/24/president-trump-couldnt-pass-obamacare-repeal-this-is-why/>.

3.3 Case Study: The Great Society and Vietnam

Finishing the Kennedy Term

President John F. Kennedy was assassinated on November 22, 1963 during a trip to Dallas, Texas to kick off his presidential campaign and to fundraise for it. After being the youngest president elected in the history of the nation, Kennedy was assassinated at the youthful age of 46 to the shock and anguish of the American people. Johnson, similarly shocked and upset, suddenly assumed the presidency years before he had anticipated. To the chagrin of the Kennedy administration, Johnson orchestrated a swearing-in ceremony from Air Force One prior to taking off to return to the White House.⁶⁰ Although some in history remember Johnson's swearing-in as a hasty and insensitive maneuver, Johnson sought to solidify his position as president as fast as possible to bring stability and reassurance to an American public in shock and an international community watching intently.⁶¹

Johnson became president in November of 1963, just under a year before the 1964 presidential election. He reflected on his first few days after the assassination by saying "a nation stunned, shaken to its very heart, had to be reassured that the government was not in a state of paralysis. I had to convince everyone everywhere that the country would go forward."⁶² In order to move the country forward, Johnson largely identified himself with Kennedy, both to win public support and because, as Dallek puts it, he "saw Kennedy's unfinished liberal agenda as essential to the national well-being."⁶³

⁶⁰ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 48.

⁶¹ Dallek, 49.

⁶² Doris Kearns, *Lyndon Johnson and the American Dream* (New York, 1976), 171-172. As cited in Dallek, 54.

⁶³ Dallek, 59-60.

In 1963 Democrats had the majority in both chambers of Congress. In the House of Representatives, Democrats outnumbered Republicans 258 to 176.⁶⁴ In the Senate, Democrats held 66 of the 100 seats.⁶⁵ At the time, two-thirds support of the members of the Senate were needed to successfully cloture the filibuster.⁶⁶ Therefore, the Democrats with their large majority in a unified government were in an opportune position to freely pass their legislative agenda. However, in the 1960s, a conservative coalition – a coalition of conservative southern Democrats and midwestern Republicans – challenged the general orthodoxy of a productive unified government. The conservative faction in the Democratic party made the cloture more difficult to attain – even though they were one vote away if Senators voted along party lines. However, unlike the modern hyper-partisan environment, there was a potential for cross-party voting and bargaining.⁶⁷

Johnson met the moment both humbly and ambitiously. In a speech to a joint session of Congress, he told them that he could not shoulder “the awesome burden of the Presidency” alone and called them to show the world that “from the brutal loss of our leader we will derive not weakness, but strength that we can and will act and act now.”⁶⁸

In a political context that already skewed Democratic, the assassination of the figurehead of the party turned into a morbid boon for Kennedy’s stalled legislative agenda. Kennedy’s death, ironically, gave Johnson a useful tool for immediate legislating: the “unfulfilled legacy of his slain predecessor.”⁶⁹ Johnson himself acknowledged that he couldn’t abandon Kennedy’s

⁶⁴ “Congress Profiles | US House of Representatives,” 2021.

⁶⁵ “Party Division.”

⁶⁶ “About Filibusters and Cloture,” United States Senate, accessed May 5, 2021, <https://www.senate.gov/about/powers-procedures/filibusters-cloture/overview.htm>.

⁶⁷ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 15.

⁶⁸ Pre-Presidential Papers: *Lyndon B. Johnson, 1963-1964*, I, 8-10. As cited in Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, p. 56.

⁶⁹ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 63.

program because he was a “national hero.” Instead, Johnson, as he recalled it, had to “take the dead man’s program and turn it into a martyr’s cause.”⁷⁰

He did it exquisitely. In an address to Congress four days after the assassination, Johnson implored the legislators for movement on and passage of Kennedy’s agenda, using both persuasive and forceful rhetoric. LBJ said “no... eulogy could more eloquently honor President Kennedy’s memory than the earliest possible passage of the civil rights bill for which he fought so long ... It is time now to write the next chapter and to write it in the books of law.”⁷¹ He also urged for the passage of Kennedy’s stalled tax cut. Over the course of the next eight months, Johnson managed to pass both the tax cut and Civil Rights Act through intense bargaining with Congress. While passing two of Kennedy’s major bills which had been stalled for over a year was a significant accomplishment, it also marked the beginning of Johnson’s freedom to embark on his own ambitious policy agenda.

Foundations of the War on Poverty

“That’s my kind of program. I’ll find money for it one way or another,” President Johnson enthusiastically responded when Chairman of the Council of Economic Advisors (CEA) Walter Heller described President Kennedy’s vision to combat poverty around the country.⁷² Johnson felt significant empathy for impoverished Americans. He had experienced poverty personally, seen its ravaging effects on his neighbors in rural Texas, and witnessed its impacts on his students in Cotulla. Therefore, Johnson and his New Deal ethos felt a duty to start a war on

⁷⁰ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 63.

⁷¹ Pre-Presidential Papers: *Lyndon B. Johnson, 1963-1964*, I, 9-10. As cited in Dallek, p. 60.

⁷² 1963 conversation between Walter Heller and Lyndon Johnson. From Lyndon Baines Johnson, *The Vantage Point: Perspectives of the Presidency, 1963-1969* (New York: Holt, Rinehart and Winston, 1976), 69-70. As quoted in Maris Vinovskis, *The Birth of Head Start: Preschool Education Policies in the Kennedy and Johnson Administrations* (Chicago, IL: University of Chicago Press, 2008), 36.

poverty. With research already underway and a growing public consensus that poverty was a significant issue that faced the country – problem recognition, the first step in policy creation according Kingdon – Johnson was eager to attack it with all the resources at his disposal.

The War on Poverty and the Great Society legislative programs originated from Congressional pushback on Kennedy's desired tax cut in 1963. Members of Congress argued that the bill would benefit the middle- and upper-classes to the detriment of the working class. Attention to America's working class increased after the publication of Michael Harrington's book, *The Other America*, in 1962. *The Other America* exposed the extent of poverty experienced in the United States, bringing the issue to the attention of the political elites. The descriptions reminded Kennedy of the poverty he witnessed during his campaign in the 1960 West Virginia primary,⁷³ and struck him as an important issue of the time. News of an impending Republican antipoverty program and the looming 1964 campaign for reelection also motivated Kennedy to act.⁷⁴ At the first planning meeting for his reelection campaign, Kennedy brought a *New York Times* article about poverty in Kentucky and emphasized that he wanted it to be a focus of his second term agenda.⁷⁵ Kennedy was assassinated three days later.

Johnson quickly picked up where Kennedy left off, continuing task forces, research, memos, and meetings with officials across various agencies to progress the formulation of a governmental response to poverty. He believed in poverty as a landmark issue: an issue that the whole country could rally behind and therefore an issue that the administration could pass a significant bill to address.. LBJ also believed that after passing Kennedy's tax cut and civil rights

⁷³ See John Kennedy, "Remarks of Senator John F. Kennedy, Parkersburg, West Virginia, May 1, 1960" (Speech, Parkersburg, West Virginia, May 1, 1960), <https://www.jfklibrary.org/archives/other-resources/john-f-kennedy-speeches/parkersburg-wv-19600501>.

⁷⁴ Vinovskis, *The Birth of Head Start: Preschool Education Policies in the Kennedy and Johnson Administrations*, 32.

⁷⁵ Vinovskis, 36.

bill, combatting poverty could be his own legislative battle to present to voters in his bid for reelection the next year.⁷⁶ Close to forty million Americans lived in poverty in the best economic times;⁷⁷ therefore, the issue represented a large societal problem that could garner bipartisan support.

However, Johnson recognized that an immediate challenge would arise when presenting an antipoverty program: the overriding American Dream ethos that people should pick themselves up by their bootstraps. Such a mentality prevailed throughout the country, and it was especially sharp in the South where governmental assistance programs were seen as an unearned gift to poor African Americans. Therefore, LBJ believed that to sell Congress and Americans on fighting poverty, it was “essential to advertise it [the program] as of benefit to all Americans – not just the poor and especially inner-city blacks.”⁷⁸

In doing so, LBJ sought to articulate the program in a way that could be palatable to southern whites who vigorously opposed civil rights legislation, while still directing most of the benefits to the low-income, mostly Black populations. Johnson was incredibly intentional in the articulation and signaling used to develop the War on Poverty. He framed the program as a pragmatic early intervention to prevent future governmental burden, arguing it made more economic sense to intervene before people reached poverty than to aid after the fact. Johnson also appointed John Kennedy’s brother-in law Sargent Shriver to run the Office of Economic Opportunity (OEO) – the Cabinet level department created to run Great Society programs in the antipoverty legislation – to signal he was continuing the work of the fallen president through the end of his term.

⁷⁶ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 132.

⁷⁷ Zelizer, 132–33.

⁷⁸ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 74.

The Economic Opportunity Act

President Johnson sent the Economic Opportunity Act (EOA) to the House of Representatives in April of 1964. The EOA was a multifaceted bill that included a variety of measures and programs designed to disrupt the “vicious cycle of poverty” that was passed down through generations.⁷⁹ It centered around the creation of the OEO, an independent agency which, without being buried in an existing agency with competing responsibilities, would allow Shriver to be aggressive in launching new initiatives.⁸⁰ The largest program within the EOA was the Community Action Program (CAP), a model derived from the idea that “poor people knew what was best for themselves and should be given command of federal education and jobs programs.”⁸¹ Other major programs within the Act were the Jobs Corps, a work-training program, and the Volunteers in Service to America (VISTA) program which would send young people around the country to work on projects dedicated to combatting poverty.⁸²

The Economic Opportunity Act faced sharp criticism from Congressional Republicans. They argued that it would “result in an excessive and costly expansion of government power,” and they largely wrote it off as a political play in an election year.⁸³ Republicans in both chambers vowed to block the legislation. Johnson, however, had other ideas. Lyndon the legislator – the former Congressman and Senate Majority Leader – stepped in to ensure the passage of the EOA. While the passage of the bill is but one example of LBJ’s political astuteness and acumen, it is an important case study into presidential influence and strategic political maneuvering to enact change.

⁷⁹ Vinovskis, *The Birth of Head Start: Preschool Education Policies in the Kennedy and Johnson Administrations*, 40.

⁸⁰ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 134.

⁸¹ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 61.

⁸² Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 135.

⁸³ Zelizer, 137.

Lyndon Baines Johnson had garnered a renowned reputation as a legislator throughout his time in Congress. In fact, fellow politicians and reporters vividly remembered the “Johnson Treatment,” in which Johnson used his imposing 6’4”, 240-pound figure – literally physically and verbally bullying, cajoling, lobbying, and threatening – to get what he wanted out of people.⁸⁴ The Treatment evolved as LBJ accumulated more power, eventually subsiding as president because he believed such direct contact was unfitting of the office. Although President Johnson began to delegate legislative duties to aides, he remained intimately involved in the legislative process – calling, writing notes, and exchanging political favors to get things done behind the scenes.⁸⁵ A former labor leader believed that Johnson “had greater knowledge, current knowledge, day-to-day knowledge, of what was going on over on Capitol Hill than any other President ever had.”⁸⁶

As mentioned earlier, Johnson viewed the passage of the Economic Opportunity Act as a demonstrable, self-initiated achievement that he could market to voters in his 1964 reelection campaign. He made this explicit to Democrats in Congress, telling them that he “considered this to be *his* bill and that its success, or failure, would be seen as a measure of his skill as president.”⁸⁷ Further, he told the Chairman of the House Appropriations Committee George Mahon that its passage was a “party measure,” further placing an impetus on House Democrats to ensure its passage.⁸⁸ In order to assuage Republican concerns about the EOA being an expansion of federal powers, congressional Democrats and the president sold the War on Poverty as a conservative program. They framed it as a bill to help the poor become “self-sufficient,”

⁸⁴ Zelizer, 6.

⁸⁵ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 64.

⁸⁶ Quote from George Meany Oral History. As cited in Dallek, 64–65.

⁸⁷ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 135.

⁸⁸ Johnson and Mahon, telephone conversation, Aug. 1, 1964, White House presidential tapes, Lyndon B. Johnson Library. As quoted in Zelizer, 135.

instead of an increase in government spending.⁸⁹ Democratic committee chairmen manipulated legislative rules to try to ease its passage, for example holding hearings at odd hours to try and prevent full Republican participation.⁹⁰ Johnson himself was involved in the efforts, striking deals with various members of Congress to ensure smooth passage of the EOA. For example, he agreed to have the chief of the Corps of Engineers approve a project in a conservative Democrat's district and fired Adam Yarmolinsky from Shriver's OEO staff.⁹¹

Two major obstacles arose, one in each chamber, in Johnson's efforts to pass the EOA. In the Senate, conservatives complained that the act would restrict states' rights. With the threat that the act would fail to pass the Senate, Sargent Shriver, the Johnson appointed poverty czar, approached Georgia Senator Herman Talmadge. Shriver, it is described, shared an "evangelical enthusiasm for conquering seemingly insoluble problems,"⁹² like his appointer LBJ. Both men refused to not get their way and complemented each other's efforts as they worked in conjunction to pass the bill. Talmadge knew he would not vote for the bill because its implications for civil rights would not be supported by his constituents. However, he was in favor of antipoverty programs because many of his constituents in Georgia faced significant economic hardships. Therefore, he suggested to Shriver to add an amendment to create the option for a Governor to veto EOA assistance – a savvy move to provide the façade of states' rights while acknowledging that no state government official would refuse federal aid.⁹³ The EOA passed the Senate 61 to 34.

⁸⁹ Zelizer, 138.

⁹⁰ Zelizer, 180.

⁹¹ Zelizer, 143–44.

⁹² Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 74.

⁹³ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 140.

While Senators are in the unique position to pass legislation with the interests of larger voting blocs in mind – state and, to an extent, national interests – Representatives are constrained to represent the interests of very specific populations. Therefore, conservative southern Democrats in the House were reticent to support the EOA due to their direct accountability for the civil rights implications. To solve this problem, the Johnson administration sent legislative aide Larry O’Brien to Georgia congressman Phil Landrum. Landrum, although in favor of small government, represented a significantly impoverished Appalachian Mountain district. O’Brien asked Landrum for help garnering support from his fellow conservative Democrats, and Landrum eagerly accepted. Landrum did an exceptional job bringing conservatives to the Johnson side of the vote, as “southern and moderate Democrats felt more politically secure with a solid southern conservative like Landrum publicly in favor of the legislation.”⁹⁴ The EOA passed the House 226 to 184.

Signing the Economic Opportunity Act into law in July of 1964 was a major victory for the Johnson administration and the reelection campaign. It fulfilled his promise from his 1964 State of the Union address in which he vowed to fight an “unconditional war on poverty,” a war that he argued the “richest nation on Earth can afford to win” and “cannot afford to lose.”⁹⁵ It also resulted from significant contributions from President Johnson – an important case in presidential power and successful legislative change.

Election of 1964

The 1964 election proved to be a victory of record proportions and a forceful mandate to propel Johnson’s substantial domestic policy agenda at the beginning of his second term. Barry

⁹⁴ Zelizer, 142–43.

⁹⁵ Lyndon Johnson, “Annual Message to the Congress on the State of the Union” (Speech, Washington, D.C., January 8, 1964).

Goldwater, an extremely conservative Senator from Arizona, won the Republican primary in July of 1964. Johnson, and likely most Republicans, assumed the nomination would go to either former Eisenhower Vice President Richard Nixon or Pennsylvania Governor Bill Scranton, seasoned GOP veterans with experience and moderate proclivities that would appeal to the voting population. Goldwater, in contrast, was extremely conservative, a trait that many GOP leaders thought assured electoral defeat. However, in 1964 the conservative Republicans who ruled the GOP machine were “more interested in trumpeting their ideology than in winning an election,” and, with their support, Goldwater won the nomination.⁹⁶

A poll released right before the Republican convention indicated that “on eight out of 10 issues facing the country, the American people feel they are in sharp disagreement with the Arizona senator.” The poll went on to conclude that “rarely has a man in such a commanding position for a major party Presidential nomination found his political positions – as understood by the public – to be so diametrically opposed by the voters themselves.”⁹⁷ Goldwater’s nomination was viewed as a “Kamikaze mission” by Republicans, and, sure enough, the Goldwater campaign failed tremendously.⁹⁸

Barry Goldwater ran on a platform of right-wing extremism, seeking to reach a population that felt ignored by the liberal Johnson administration and resented Johnson for it. Instead of finding success, the Arizona Senator’s rampant extremism was met with ridicule and fear. Republicans deserted him for Johnson, and in polls stated that Goldwater was a “terrible” candidate who made the party look like a “gang of nuts and kooks.”⁹⁹ In contrast, a “majority of

⁹⁶ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 132.

⁹⁷ Reflections on a poll by Lou Harris. Moyers to Johnson, n.d., with attached Roche to Moyers, June 12, 1964, White House Central File: Aides: Moyers; The Harris Survey, July 13, 1964, White House Central File: Name: Goldwater. As cited in Dallek, 132.

⁹⁸ Dallek, 132.

⁹⁹ Dallek, 177.

Americans were positively disposed towards Johnson's performance in the White House" and saw him as "a highly effective leader who managed 'to get stalled legislation through Congress.'"¹⁰⁰

The American people reelected Lyndon Baines Johnson president by record proportions in November of 1964. He won 44 of 50 states, got 486 of 540 electoral college votes, and received nearly 16 million more popular votes. His victory represented the "largest vote, the greatest margin, and biggest percentage (61 percent) ever received by a President to that point in U.S. history." Johnson also received the largest majorities in Congress in nearly 30 years, with 68 Senate Democrats and a gain of 37 House seats.¹⁰¹

With his overwhelming victory came an electoral mandate that LBJ harnessed to justify further legislative action. In a speech to legislative liaisons and his congressional relations office, Johnson said "look, I've just been elected by an overwhelming vote, but every day that I will be in office, I will be losing some of my ability to convert that victory into legislative reality."¹⁰² Thus, he implored his them to exert "continuous pressure and constant negotiations" to capitalize on the electoral momentum.¹⁰³

Johnson's primary legislative priority was passing an education bill. His experience as a teacher in Cotulla had "given him an appreciation of education as a tool young people could use to life themselves out of poor economic conditions," and he wanted to pass a bill to provide more federal money to educational institutions.¹⁰⁴ Congress had never before passed an education bill that brought federal aid to elementary and secondary schools, in large part due to the "political

¹⁰⁰ Dallek, 168.

¹⁰¹ Dallek, 183–84.

¹⁰² Wilbur Cohen, interview by James Sargent, March 18, 1974, 130-131, Columbia University Oral History Project. As cited in Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 166.

¹⁰³ Zelizer, 166.

¹⁰⁴ Zelizer, 175.

minefield” of the issue of federal funding to parochial schools.¹⁰⁵ Johnson’s bill circumvented the issue by promising federal assistance to impoverished children regardless of what type of school they attended. While the bill received strong Democratic support in Congress, Republicans were ambivalent. However, Johnson received help from Democratic committee chairmen who manipulated legislative rules to try to ease the bill’s passage.¹⁰⁶ The Elementary and Secondary Education Act (ESEA) passed the House by a vote of 263 to 153 and the Senate 73 to 18.¹⁰⁷ Notably, most Democrats supported the ESEA and a fair number of Republicans (35 in the House, 18 in the Senate) supported the bill as well.

Johnson’s Great Society legislative success continued in 1965. After passing the ESEA, Johnson signed two more landmark bills into law: Medicare in July and the Voting Rights Act in August. Johnson and the 89th Congress also passed the Immigration and Nationality Act, the Appalachian Development Act, and the Water Quality Act. Other Great Society successes include Head Start, Upward Bound, the Public Works and Economic Development Act, and the Cabinet-level office of Housing and Urban Development. The social progress made, and governmental assistance programs created under the Johnson administration have made an enormous impact on the nation’s vulnerable citizens since their enactment in the 1960s, and they remain a pillar of the assistance offerings of the country today. Johnson’s vision of a second New Deal was becoming realized.

¹⁰⁵ Zelizer, 176.

¹⁰⁶ Zelizer, 180.

¹⁰⁷ Zelizer, 181–82.

Varying Success – The Impact of the Vietnam War

Although the Economic Opportunity Act and Johnson's other significant legislative achievements in his first two years in office portray a prolifically successful administration, the Vietnam War became an impediment on those successes – with progressive effects as the war fell more and more out of favor – after 1964. In general, LBJ was much stronger in domestic policy than in foreign policy. His years as Senate Majority Leader taught him how to legislate, and his legislative abilities repeatedly helped him to pass his Great Society programming, as was illustrated in the previous section. However, Johnson's lack of experience in foreign policy "agitated his feelings of inadequacy" and made worry he that people saw him as a "Texas hick... who could not compare to John Kennedy as a world leader respected by heads of government abroad and foreign policy makers at home."¹⁰⁸ This fear caused him to try and consolidate as much power as possible to prove his worth, and as a result he "insisted on presidential prerogative and control" in foreign policy.¹⁰⁹

The foreign policy crisis involving Vietnam originated under President Eisenhower in 1954, when the French "pulled out of their Indochinese colony and left it divided into a communist North and an anticommunist South."¹¹⁰ During the heart of the Cold War, the Soviet Union and China supported various Communist insurgencies. The North Vietnamese were one such benefactor of the international feud. Led by communist Ho Chi Minh, the North Vietnamese started a civil war with South Vietnam starting the late 1950s. The United States, subscribing to the Domino Theory of communism – the idea that if communism becomes established in one country, it will uncontrollably spread to surrounding nations – intermittently

¹⁰⁸ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 98.

¹⁰⁹ Dallek, 97.

¹¹⁰ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 146.

supported South Vietnam throughout the Eisenhower and Kennedy administrations. Eisenhower sent minimal assistance to the South, and Kennedy followed his lead; Kennedy sent thirteen thousand military advisers to help train the South Vietnamese army but was reluctant to send ground troops.¹¹¹

Johnson decided to continue the Kennedy policy of aiding Saigon against the North Vietnamese. He worried that a weak national security policy that was not firmly opposed to communism could harm his legislative efforts.¹¹² Thus, he resolved to expand U.S. aide to South Vietnam, saying “I am not going to lose Vietnam. I am not going to be the President who saw Southeast Asia go the way China went.”¹¹³

In the spring of 1964, a Gallup survey showed “63 percent of the public giving little or no attention to the fighting in Southeast Asia, while in another poll 25 percent of Americans had heard nothing about the conflict.”¹¹⁴ Johnson preferred it this way; he cautiously approached the situation in Vietnam in the months before the 1964 election and in early days of his administration to prevent foreign affairs from hurting reelection chances. This was not completely feasible, however. In early August, the White House got a report that navy ships had been attacked in the Gulf of Tonkin. The intelligence was “sketchy” and North Vietnam stayed quiet about the incident, so Johnson decided to not respond.¹¹⁵ Two days later came news of another attack. Again, the evidence was incomplete, however, Johnson felt as though he was being “tested” and needed to “have a tough response for the North Vietnamese and for the Republicans.”¹¹⁶ Johnson asked Congress to pass a resolution granting him the power to expand

¹¹¹ Zelizer, 146.

¹¹² Zelizer, 147.

¹¹³ William Bundy’s comment on p. 10 of “Conference on Vietnam,” March 9-10, 1991, transcript at the Lyndon B. Johnson Library. As cited by Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 99.

¹¹⁴ Dallek, 106.

¹¹⁵ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 148.

¹¹⁶ Zelizer, 149.

military operations in Vietnam at his discretion. Eager to blunt Republican attacks on Johnson's foreign policy, it passed the Senate and House easily.

Johnson's poll numbers rose because of the Gulf of Tonkin Resolution¹¹⁷ and the perception of his strength in Vietnam. This was beneficial for LBJ, as he wanted to avoid Vietnam "distracting domestic attention from his Great Society reforms."¹¹⁸ Johnson rushed to move his legislation as soon as he was reelected in 1964 based on the belief that "continuous pressure and constant negotiations would maximize his chances for success."¹¹⁹ As described above, these efforts were successful, and the White House passed a significant legislative program through Congress in 1965. Having been reelected and having codified the most important Great Society laws, Johnson was "ready to see the war come front and center"¹²⁰ in October of 1965.

Although ready to address the war, Johnson remained ambivalent about the best way to proceed, complaining that he knew he was "bound to be crucified either way I moved."¹²¹ The North Vietnamese were certainly provoking American action, bombing various military bases, and killing American citizens serving in South Vietnam. Saigon's position was gradually worsening, increasing the threat of a communist victory. Although loathe to enter an intense and drawn-out war, Johnson and his Cabinet thought "retreat was unthinkable."¹²² Thus, over the course of 1965 and 1966, Johnson gradually increased American involvement in the conflict between the North and South Vietnamese.

¹¹⁷ Zelizer, 151.

¹¹⁸ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 242.

¹¹⁹ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 166.

¹²⁰ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 279.

¹²¹ Dallek, 246.

¹²² Dallek, 239.

While most of Americans approved of the war initially – anti-Communism remained a potent rallying force – President Johnson garnered significant criticism because of his propensity to make large policy decisions unilaterally. When initiating operation Rolling Thunder, a sustained and offensive bombing campaign on the North Vietnamese, Johnson did not even release a public statement. A *New York Times* columnist reported the next day that “the United States had entered ‘an undeclared and unexplained war in Vietnam.’”¹²³ Over the course of the war, Johnson further gained a reputation of being an opaque and secretive manipulator, using presidential prerogative to make decisions without popular approval. He began to lose public support and trust.

The national mood regarding Johnson and the Vietnam War became embittered quickly. There were anti-war demonstrations on college campuses. The press consistently wrote negative pieces about the administration and their war efforts. A poet who had accepted an invitation to participate in a White House Festival of the Arts withdrew. Johnson’s approval rating fluctuated, slipping between 46 and 50 percent in June of 1966.¹²⁴ In the 1966 midterm elections, Democrats lost 47 House seats, three Senate seats, and eight Governorships.¹²⁵ Johnson and the Democratic Party were suffering due to the War.

The ramifications of a deteriorating public prestige were also revealed in Johnson’s inability to pass legislation. A pertinent example arises in the failure of the Safe Streets and Crime Control Act, a 1967 law presented by Johnson in response to the emergence of crime as a “major domestic issue.”¹²⁶ Murders, rapes, aggravated assaults, robberies, burglaries, and car

¹²³ Dallek, 249.

¹²⁴ Dallek, 336.

¹²⁵ Dallek, 339. It is important to note that there was an economic downturn in 1966 that also could have affected the election outcome.

¹²⁶ Dallek, 406.

thefts rose in 1965 and 1966, and “sparked an epidemic of fear in the nation.”¹²⁷ The administration presented the measure to Congress in the hopes of passing a bill on a bipartisan-recognized issue and regaining reform momentum. It proved more challenging than anticipated.

Republicans were reluctant to give Johnson a victory on an issue they had “helped make a national concern.”¹²⁸ With the aid of southern Democrats, in mark-ups, congressional conservatives made the President’s law into a tougher bill which they hoped to take credit for. Both House and Senate Republicans re-introduced the legislation under a new name, providing them with a more solid claim to the law. They also dramatically changed the content of the bill, including giving distribution powers to state officials instead of the federal government and gutting Johnson’s gun control provisions.¹²⁹

Johnson, believing a weakened bill was better than no bill, attempted to negotiate with Republicans to facilitate the Safe Streets and Crime Control Act’s passage. He agreed to a diminished gun control provision and acquiesced to Senate requests to preserve wiretapping.¹³⁰ Congressional liberals, however, rejected President Johnson’s proposed compromised, and threatened to filibuster the Republican-influenced bill. Conservative committee chairmen, in anger, refused to allow a committee vote on the bill without the promised changes.¹³¹ Thus, Johnson’s proposed public safety bill died in the 1967 legislative session.

Johnson also struggled to pass the Civil Rights Act of 1968, also known as the Fair Housing Act, because of his handling of the Vietnam War. Despite the successes of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, housing discrimination remained an

¹²⁷ Dallek, 406.

¹²⁸ Dallek, 410.

¹²⁹ Dallek, 410.

¹³⁰ Dallek, 411.

¹³¹ Dallek, 411.

important issue affecting many Black Americans in urban areas. President Johnson “wanted to pass legislation that would prohibit discrimination against African Americans who had enough money to buy or rent a home, no matter what neighborhood the dwelling was in.”¹³² He saw this as “an essential building block,” complimenting the investment in education and jobs.¹³³ However, Johnson did not have a logical coalition to support this bill; his normal northern Democrat and midwestern Republican allies would face notable consequences from the bill.

Johnson sent the bill to Congress in April of 1966. Neither southern nor northern members of Congress supported the bill. Both coalitions foresaw tangible consequences for their constituents and possible electoral fallout for them if they were to pass the legislation. Black marches in support of fair housing deteriorated into conflict. The social unrest exacerbated racial tensions, as northern and southern whites alike voiced opposition to the bill and civil rights protests filled American cities.¹³⁴ When the Civil Rights Act passed the House, Senator Everett Dirksen refused to endorse a vote for cloture, effectively killing it through the filibuster.¹³⁵ The Civil Rights Act was not revisited until 1968, after Martin Luther King was assassinated. The fury over King’s death led to a legislative breakthrough, and the Act was signed into law a week later, on April 11.

¹³² Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 234.

¹³³ Zelizer, 234.

¹³⁴ Zelizer, 241.

¹³⁵ Zelizer, 246.

3.4 Assessing the Johnson Presidency

Political Context

Successful policy innovation and implementation is increasingly possible when “various constraints that normally frustrate a government give way,”¹³⁶ opening a “policy window.”¹³⁷ A policy window is an opportunity for action,¹³⁸ and two types of factors can stimulate such an opportunity: political developments (like an electoral mandate or crisis) and societal problems (which serve as focusing events).¹³⁹ The Kennedy assassination served as a focusing event – “an event like a crisis or disaster that comes along to call attention to the problem”¹⁴⁰ – that Johnson leveraged to advance the liberal agenda. While focusing events, per John Kingdon’s definition, serve to “call attention to a problem,” the assassination served to “call attention” to Kennedy’s (stalled) agenda and prompted congressional action to cement his legacy. Thus, the crisis in the American public caused by the assassination “bowled over everything standing in the way of prominence on the agenda,” and pushed forward Kennedy’s languishing agenda.¹⁴¹ Although the assassination did not produce a quantifiable mandate, as Grossback, Peterson, and Stimson define it, Johnson was able to create a mandate perception to persuade Congress to “honor President Kennedy’s memory” by passing the bills he had fought for.¹⁴² The assassination opened up a policy window in 1963 and 1964 where the “various constraints that normally

¹³⁶ John Keeler, “Opening the Window for Reform: Mandates, Crises, and Extraordinary Policy-Making,” *Comparative Political Studies* 25, no. 4 (January 1993), p. 436.

¹³⁷ Kingdon, *Agendas, Alternatives, and Public Policies*, 166.

¹³⁸ John Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (Boston, MA: Addison-Wesley Educational Publishers Inc., 2003), p. 166.

¹³⁹ Keeler, p. 436.

¹⁴⁰ Kingdon, *Agendas, Alternatives, and Public Policies*, 94–95.

¹⁴¹ Kingdon, 96.

¹⁴² Pre-Presidential Papers: *Lyndon B. Johnson, 1963-1964*, I, 9-10. As cited in Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 60.

frustrate a government give way,”¹⁴³ and Johnson was able to capitalize. He passed the Civil Rights Act of 1964, the Revenue Act of 1964 Cut, and the Economic Opportunity Act before the 1964 election.

The recognition of American poverty as a societal problem also created an opportune moment for political change. Johnson first harnessed the policy window that opened because of problem recognition with the passage of the EOA in 1964 and continued to exploit the window of opportunity by passing many Great Society bills in 1965. His 1965 success was aided by the mandate perception granted by his sweeping electoral victory in 1964. Johnson defeated Republican Senator Barry Goldwater by nearly 16 million popular votes and won 486 out of 540 electoral college votes.¹⁴⁴ At the time, it was the largest margin of victory by popular vote. This provided Johnson with an empirically supported mandate; according to Lawrence Grossback, David Peterson, and James Stimson in their book *Mandate Politics* the 1964 election produced one of the three electoral mandates that significantly changed congressional voting behavior in postwar America.¹⁴⁵ While many presidents claim mandate perceptions after electoral victories, the Johnson administration’s overwhelming support in 1964 made it “electorally wise” to follow the mandate and “be identified as an agent of change.”¹⁴⁶ Such a consensus understanding of the mandate provided significant support for Johnson’s Great Society program in 1965.

¹⁴³ John Keeler, “Opening the Window for Reform: Mandates, Crises, and Extraordinary Policy-Making,” *Comparative Political Studies* 25, no. 4 (January 1993), p. 436.

¹⁴⁴ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*, 183–84.

¹⁴⁵ Grossback, Peterson, and Stimson, *Mandate Politics*, 65–66. The mandate, according to *Mandate Politics*, lasted through the majority of 1965, helping to create the Great Society. While the authors found that the House was liberal to the point where the mandate was not needed because the Democrats had enough solidified votes, they argue that the mandate for the Senate was “very strong.” The mandate ended late in 1965, thus moderate support “was no longer available and the tone in Washington changed permanently as a result” for the rest of the year and through 1966 (pp. 109-110).

¹⁴⁶ Grossback, Peterson, and Stimson, 186.

The Johnson administration experienced significant legislative success between 1963 and 1965. However, as the examples of the Safe Streets and Crime Control Act and the Civil Rights Act of 1968 demonstrate, the political context changed once the Vietnam War became a political focal point, and the domestic agenda stalled. The Democrats were only able to pass the Civil Rights Act after Martin Luther King was assassinated, which was another focusing event that opened a policy window for civil rights legislation.

As a president ruling in the politics of articulation, Johnson was able to draw on the strength of the established New Deal regime and continued to “boost” it through his legislative success.¹⁴⁷ He was a very successful “orthodox innovator,” “galvanizing political action... to continue the good work of the past.”¹⁴⁸ LBJ brought the Democrat’s liberal agenda to “the promised land”¹⁴⁹ through constructing the Great Society. Between the passage of the Economic Opportunity Act in 1964 and the subsequent Great Society programming enacted with the “fabulous” 89th Congress, the Johnson administration waged a war on poverty unprecedented in both its scope and its impact. In doing so, he expanded FDR’s New Deal liberalism and created a large federal government that supported disadvantaged and struggling Americans. Many of the Great Society’s landmark programs remain in effect today.

It is important to acknowledge that Johnson’s articulation and ensuing legislation was more successful than most; Johnson, as a “consummate political insider,” was “acutely attuned to the demands of received doctrine and the play of the political factions” under his charge.¹⁵⁰ Skowronek argues that Johnson’s presidency “pressed harder than ever against the line

¹⁴⁷ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 42–43.

¹⁴⁸ Skowronek, 41.

¹⁴⁹ Skowronek, 327.

¹⁵⁰ Skowronek, 327.

separating an articulation of received premises from a reconstruction of them.”¹⁵¹ While he was unable to reconstruct the political landscape due to the strength of the liberal regime – and consequential lack of a target to repudiate – Johnson’s presidency demonstrated the potential of an articulative president. Johnson masterfully exploited the political moment to create meaningful change for the American people akin to FDR’s definitively reconstructive programs.

Constitutional Tools

Aided by his large Democratic majorities in Congress,¹⁵² mandate perceptions, and gaping policy windows – at least early on in his presidency – Johnson did not need to rely on unilateralism or veto bargaining to create change. The opportune political context facilitated a relatively easy passage of his agenda, especially in 1963, 1964, and 1965. When he came up against congressional challenges, Johnson was able to draw on his political skills (which I will examine in depth shortly) to make bargains and solidify support. Additionally, the change that Johnson sought to make could not have been accomplished with “fragile” unilateralism.¹⁵³ Thus, tools did not play a large role in LBJ’s successful change.

Legislative Skills

Lyndon Johnson was “one of the most gifted practitioners in American history of the art of coaxing decisions out of a political system that makes it easier to block policy initiatives than bring them to fruition.”¹⁵⁴ He “had an unerring sense of the preoccupations of his colleagues and

¹⁵¹ Skowronek, 330.

¹⁵² Fleishman and Aufses, “Law and orders: The problem of presidential legislation.” As cited in Howell, “Unilateral Powers: A Brief Overview,” 429.

¹⁵³ Rudalevige, “Obama and the Unilateral Presidency: Imperial or Imperiled,” 241; Waterman, “Assessing the Unilateral Presidency.”

¹⁵⁴ Greenstein, *The Presidential Difference: Leadership Style from FDR to Barack Obama*, 76.

a genius for linking the provisions of proposed laws to the interests of sufficient numbers of legislators to enact them.”¹⁵⁵ Despite the fact that the president is in a Constitutionally weak position to influence legislation, Johnson’s leadership and legislative skills played a significant role in exploiting his existing support – although there was significant cross-party voting in the 1960s, Johnson had a stable coalition of liberal Democrats and Republicans who supported his agenda – and winning votes from more conservative members of Congress.

A president’s ability to exploit existing opportunities, as George Edwards writes, is essential to successful presidential and congressional legislative collaboration. This involves solidifying co-partisan support and presenting a party vision that members of the president’s caucus can rally behind. Examples of Johnson’s exploitation of existing support abound. One of the most important came as he lobbied Democrats to pass the Economic Opportunity Act. As I referenced earlier, LBJ told the Chairman of the House Appropriations Committee, George Mahon that its passage was a “party measure,” and implored other Congressional Democrats support its passage by telling them it was “*his* bill.” Framing the bill as a direct reflection of Johnson’s governing ability, as a measure of his ability as president, and as a litmus test to demonstrate his potency prior to the 1964 presidential election was a clever was to cement Democratic support. The timing of the presentation of EOA legislation was also important to its ability to pass, as legislation so close to the election provided Democrats, even southern Democrats who valued their committee chairmanship, an incentive to fight for its passage to ease Johnson’s reelection.

A nuanced articulation of a legislative vision and the timing of the presentation of a policy proposal are also important aspects of exploiting existing support. Johnson knew that

¹⁵⁵ Greenstein, 78.

there was a general reticence in the country to create programs explicitly for the benefit of Black Americans. The appearance of aid targeted to Black people would lead to widespread and bipartisan rejection from southern politicians. As a result, Johnson presented the War on Poverty and Economic Opportunity Act as a “benefit to all Americans,” creating a public façade of universal benefits while implicitly focusing on the needs of his target population. This façade permitted southern Democrats like Phillip Landrum from Georgia – a representative from an extremely impoverished, yet racist Appalachian Mountain district – to support the bill without being seen as a civil right activist.

Representative Landrum provides a nice segue to introduce LBJ’s impressive legislative skills. The first aspect of Johnson’s legislative skills that the case study reveals is his nuanced understanding of the importance of seeking guidance and surrogacy from prominent southern Democrats. In the Senate, Sargent Shriver’s interactions with Senator Talmadge allowed the White House to add an amendment to create a bill that could deliver meaningful legislation to all constituents without forcing supporters (especially southern Democrats who were in favor of states’ rights) to be seen as an advocate for an unpalatable cause (big government). The Governor’s Veto that Talmadge suggested was essential in passing the EOA through the Senate. In the House, adding Representative Landrum as a co-sponsor provided a cover for other conservative Democrats to support the EOA without being seen as liberal. Currying the favor of a Congressman who would allow his fellow conservative and moderate colleagues to feel “politically secure” was also essential in passing the EOA.

LBJ also possessed renowned legislative negotiation skills, honed through his years in Congress and, specifically, as Senate Majority Leader. Historians refer to Johnson as a “perfect Roosevelt man.” I would argue that Johnson is also a perfect Neustadt man. Aligning with

Neustadt's two tenets of bargaining abilities, Johnson possessed a pristine reputation and had immense public prestige. His reputation had been developed over the course of his career in Congress, and his approval rating was exceptionally high, especially in the productive years between 1963 and 1965. Johnson strategically utilized both reputation and prestige as wells from which he could derive power and inspired "awe"¹⁵⁶ in aides and fear in his colleagues through his insatiable and "instinctive gift" of negotiation.¹⁵⁷

The passage of the EOA provides ample examples of Johnson's negotiating prowess. In one instance, Johnson agreed to have the chief of the Corps of Engineers approve a project in a congressman's district. In another case, Johnson told an Alabama congressman, Robert Jones, that he would convince a local Alabaman newspaper to endorse Jones. He also promised a reluctant Texas congressman to give more aid to Texas A&M University.¹⁵⁸ All three negotiations, certainly only three examples out of many, all resulted in generating support for the EOA. The most significant example of Neustadt-esque bargaining to consolidate support for the EOA arose when the North Carolina delegation refused to support it due to their discomfort with Adam Yarmolinsky whom they accused of being too leftist. Adam Yarmolinsky was poised to become the Office of Economic Opportunity's deputy director under Sargent Shriver. He was also Shriver's close friend. Johnson, fearing both the loss of the North Carolinians' support and the potential impacts on his other southern Democratic supporters.¹⁵⁹ Johnson promised the North Carolina delegation Yarmolinsky would not have any leadership role in the OEO. They voted for the EOA, and it passed Congress easily.

¹⁵⁶ Dallek, *Flawed Giant: Lyndon Johnson And His Times 1961-1973*.

¹⁵⁷ Caro, *The Years of Lyndon Johnson: Master of the Senate*, 3:xxii.

¹⁵⁸ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*.

¹⁵⁹ Zelizer.

The Vietnam War significantly impinged the policy window that Johnson and the 89th Congress had been enjoying early in his term. Whereas prior to the war Johnson had enjoyed high levels of public prestige and Congressional support, the national mood shifted as the American deaths piled up without a clear rationale for American involvement. Johnson's secrecy compounded the displeasure of the public. Kingdon's reflection that policy windows are short lived and relatively random rings true – Johnson suddenly lost the capacity to pass his agenda, and his opportunity to make a societal change diminished with that capacity. The Johnson Treatment and his vaunted legislative skills were, however, unable to overcome this different political context.

This demonstrates the limits of presidential skills in contributing to change.

3.5 Conclusion

A case study of Lyndon Johnson's presidency both discredits some aspects of my hypothesis and substantiates others. First and foremost, it is notable that Johnson enjoyed such substantial success without operating in a politics of reconstruction. An orthodox innovator in a politics of articulation, Johnson translated the received commitments into tangible legislative accomplishments by "galvanizing political action to continue the good work of the past."¹⁶⁰ Although I posited that success relied on a reconstructive moment, Johnson was able to articulate received orthodoxy in an innovative way and created meaningful change for the American public through the Civil Rights Act, Elementary and Secondary Education Act, and his Great Society programs.

¹⁶⁰ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*.

This success was feasible due to Johnson's incredible political acumen. LBJ was a creature of the Congress: he arrived in Washington D.C. as a staffer for his local congressman and rose through the House and Senate into the role of Senate Majority Leader. The legislative abilities Johnson gained through that experience – a knowledge of bargaining, leveraging favors and political capital to negotiate, and honing his forceful Treatment – allowed him to push forward the programs he believed in. This was particularly seen in the case of the Economic Opportunity Act. Significant negotiating with conservatives and manipulation of committee votes enabled the EOA to pass with few edits. However, his skills were not enough to overcome the legislative stasis caused by the Vietnam War.

My research on Lyndon Johnson provides important lessons as to what makes change possible. This study has largely revealed the importance of political context. The policy windows opened through the assassination of Kennedy and LBJ's massive electoral victory facilitated great legislative successes. The resiliency of the liberal regime was also influential – while Johnson was able to articulate the vision successfully, it was important that he had an orthodox to innovate from, instead of a failing regime with a weak justification for continued action. Johnson's dual mandates – and especially the 1964 electoral mandate which proved empirically significant in compelling legislative action – also contributed to Johnson's potential for change.

However, the success cannot overshadow the variance in LBJ's efficacy. After legislative victories in 1964 and 1965, the Vietnam War starkly impeded further progress. The war became the primary focus of the administration, with Great Society programs becoming ancillary and overlooked. Additionally, because of increased public protest to the war, it became politically pragmatic to not support LBJ as his lack of transparency and seemingly manipulative proclivities became a source of outrage. While Johnson's political skills are notable – and aided in the

passage of many of his bills – due to his inability to circumvent the Vietnam-induced gridlock, it appears as though skills are not primary factors behind change.

It will be informative to now compare LBJ's success with that of Ronald Reagan, who was elected in direct repudiation of the New Deal regime that Johnson articulated. The Reagan case should provide insight into the reconstructive potential of a presidency.

Chapter 4: The Reagan Revolution?

4.1 What Can Reagan Do?

Like Lyndon Johnson, I believe that Ronald Reagan became president in a political context that offered immense potential for legislative change. Reagan entered the political landscape in 1964 when he delivered a speech in favor of the Republican nominee for president, Senator Barry Goldwater. Although Goldwater's conservatism turned out to be ahead of its time, Reagan's speech confirmed him as "the new conservative standard-bearer" for the Republican Party.¹ "The Right's capture of the Republican Party fully legitimized conservatism," and the growing movement behind New Right ideology facilitated Reagan's transition into politics.²

Reagan was elected president in 1980. His defeat of incumbent President Jimmy Carter was surprising: polls conducted in the days leading to the election showed the two candidates as "deadlocked."³ Even more surprising were the large Republican Senatorial victories, as the Republicans took control of the upper chamber for the first time in 25 years.⁴ Although the divided government posed a challenge, Reagan's victory created a mandate to advance his agenda of small government, big military spending, and low taxes.

The novel coalition that Reagan put together to support his campaign notably shaped the political environment in which he was taking office. His coalition combined the conservative wing of the Republican party and the "angry, alienated, turned-off, working- and middle-class"

¹ Lisa McGirr, *Suburban Warriors: The Origins of the New American Right* (Princeton, NJ: Princeton University Press, 2001). As cited by Lori Clune, "Political Ideology and Activism to 1966," in *A Companion to Ronald Reagan*, Wiley Blackwell Presidential Companions (Malden, MA: John Wiley & Sons, Inc., 2015), 33.

² Mary Brennan, *Turning Right in the Sixties: The Conservative Capture of the GOP* (University of North Carolina Press, 1995), 140-141. As cited by Clune, 34.

³ Yanek Mieczkowski, "Reagan Runs: His Campaigns for the Presidency, 1976, 1980, and 1984," in *A Companion to Ronald Reagan*, Wiley Blackwell Presidential Companions (Malden, MA: John Wiley & Sons, Inc., 2015), 61.

⁴ Mieczkowski, 61-62.

conservative Democratic wing.⁵ Democrats leaving the party in droves to vote for Reagan – Reagan Democrats – compelled Democratic representatives to be more receptive to Reagan’s program, as it became clear that members of the party were becoming disenchanted with the prevailing liberal ideology. This dynamic enhanced the mandate effect of Reagan’s electoral victory.

In 1980, America was facing an economic recession. President Jimmy Carter was unable to adequately address the crisis with his New Deal liberalism. People were struggling; therefore, the vote turned into a referendum on the failing commitments of the Democratic regime. As a result, the election of 1980 turned into a critical election, “a type of election in which there occurs a sharp and durable electoral realignment between parties.”⁶ Although the durability of such realignment is outside of the scope of my research, the election of 1980 did feature a sharp electoral realignment between parties.

Such a drastic deviation in voting behavior signaled a rejection of Carter and the Democratic regime. The New Deal ethos that had prevailed since FDR finally crumbled, presenting Reagan with the opportunity to tear down his predecessor’s disjunctive legacy and reconstruct the political landscape anew. Reagan thus was elected into a politics of reconstruction, “the most promising of all situations for the exercise of political leadership.”⁷ Skowronek writes that “presidents elected upon the outright rejection of their predecessors will have at hand an expansive warrant for disruption.”⁸ A reconstructive context is the most

⁵ Patrick Buchanan, *Conservative Votes, Liberal Victories: Why the Right Has Failed* (Quadrangle, 1976), 173. As cited in Sundquist, *Dynamics of the Party System: Alignment and Realignment of Political Parties in the United States*, 416.

⁶ V.O. Key, Jr, “A Theory of Critical Elections,” *Journal of Politics*, 17 (February 1955), 3-18. As cited in Sundquist, 4.

⁷ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 37.

⁸ Skowronek, 23.

opportune political time to lead in; it allows for the president to fully harness the order-creating capabilities of the office and reconstruct the country in their vision.

Reagan rose to power in a political context conducive to change. With a large margin of victory, a potent mandate, and reconstructive politics, Reagan immediately had a policy window open in which he could pass legislation addressing the recession and promoting his program. A failed assassination attempt on Reagan's life also occurred in March of 1981. The attempt likely served as a focusing event for the public and Congress and provided another mandate which Reagan could harness to act. Therefore, I predict that Reagan was successful in passing his policy agenda and created legislative change, especially in 1981 and 1982.

Given that Reagan governed in a divided government,⁹ I predict that he utilized presidential tools to advance his agenda. Unilateral action is generally used to circumvent congressional gridlock in a divided government.¹⁰ Veto bargaining also is primarily used in a divided government and is a useful tool to ensure a bill contains the president's preferred policies.¹¹ Therefore, I expect that Reagan will use these presidential tools to an extent to push his legislation through the Democratic-controlled house.

Because Reagan was ruling in a divided government, he needed to both exploit existing opportunities and create new opportunities to make change. A method of exploiting existing resources is controlling the public agenda and presenting policy initiatives effectively.¹² Articulation and timing are especially essential to effectively presenting initiatives.¹³ Reagan ran on a very concise and digestible platform: small government, low taxes, big military. He was

⁹ The Republicans controlled the Senate for the first six years of his presidency but did not have a House majority at any point between 1980-1988.

¹⁰ Joel Fleishman and Arthur Aufses, "Law and orders: The problem of presidential legislation," *Law and Contemporary Problems* (1976): 1-45. As cited in Howell, "Unilateral Powers: A Brief Overview," 429.

¹¹ Cameron, *Veto Bargaining*, 9.

¹² Edwards, *Predicting the Presidency*, 107.

¹³ Edwards, 107-37.

exceptional at articulating that vision and staying on message, which I believe made him successful in solidifying Republican votes. Creating new opportunities – gaining cross-partisan support for legislation – is more difficult. I anticipate Reagan faced challenges in the House and needed to bargain with concessions and amendments to pass his legislation.

Recall Neustadt's dictum that residents are confronted with the dilemma of how to make their power work for them. Although Neustadt theorizes that bargaining and negotiation are the primary ways in which presidents exert their influence on the legislative process,¹⁴ I believe that Reagan's prowess in communication would have more impact than his legislative skills.

Prior to being elected president, Reagan's only government experience came from his eight years as Governor of California. While his legislative nuance, therefore, would not be as developed as someone who made a career in the Congress, Reagan's acting career positioned him well to attain political prominence in a moment aching for a charismatic leader. Through his experiences in entertainment (his career prior to politics) and union governance, Reagan became comfortable in front of an audience and honed the ability to deliver "smooth, gentle, and principled" speeches in a "suave" manner.¹⁵ On the campaign trail, he was able to articulate everyday American grievances, generating a broad base of supporters from many political coalitions.¹⁶

Reagan earned the nickname "the Great Communicator" over the course of his time in office. I predict that his oratorical skills will enhance his ability to successfully create change.

¹⁴ Neustadt, *Presidential Power: The Politics of Leadership*, 6.

¹⁵ Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan* (W.W. Norton, 2009), 147. As cited by Clune, "Political Ideology and Activism to 1966," 33.

¹⁶ Clune, 33.

Overall, an analysis of Reagan's position based on the theory I have reviewed leads me to predict that Reagan should be very successful in facilitating legislative change, especially due to a favorable political context and his well-developed communication skills.

4.2 From Dixon to D.C.

Life Before Politics

Ronald Reagan was born on February 6, 1911 in Tampico, Illinois. He grew up poor in a quintessential midwestern small town – one that valued a hard day's work and was hit especially hard by the Great Depression. His father, Jack, was a shoe salesman and alcoholic.¹⁷ Jack struggled to keep jobs due to his alcoholism, causing the family to move 10 times before Ronald was out of high school. Reagan's mother, Nelle, was an ardent member of the Disciples of Christ church, and is credited for initiating Reagan's acting career. Reagan fell in love with acting and being in front of a crowd as he debuted in church plays. His passion for performing motivated him to act in college, caused him to pursue a career in the entertainment industry after college, and benefitted him as he became a rising star in the Republican party.

When Reagan graduated from Eureka College, he found a job as a sports announcer for a local radio station in Des Moines, Iowa. Reagan quickly became beloved, gaining the nickname "Dutch" and local fame due to his creative (and sometimes fictional) depictions of sports games derived from play-by-play telegraphs sent from the stadiums. His favorite radio story to tell involved a play-by-play account of a Cubs game when the telegraph broke down and he kept the broadcast alive by having the batter foul off pitches until the machine was fixed.¹⁸ Dutch's oratorical prowess and proclivity for adding some embellishments remained a staple of his

¹⁷ Lou Cannon, *President Reagan: The Role of a Lifetime* (New York, NY: PublicAffairs, 2000), 172.

¹⁸ Cannon, 187.

political career, as the “Great Communicator” is remembered for stirring speeches (with some fiction incorporated in).¹⁹

Although Reagan enjoyed the local fame afforded by his sportscasting, he yearned to be back on the stage and screen. Thus, when he was covering the Chicago Cubs’ 1937 spring training in Southern California, he “maneuvered his way into a successful screen test with Warner Bros.”²⁰ Reagan’s photographic memory, willingness to take direction, and general easygoing disposition endeared him to Hollywood producers.²¹ He found consistent work in B-division movies – low-quality movies with small budgets. Reagan excelled in the romantic and light comedy roles that he started his career acting with. However, he was not talented enough to act in the more dramatic or western roles that he sought. His dedication to reaching new heights as an actor – graduating to more serious, acclaimed movies – caused his career to prematurely end.²² His affable, charismatic nature won him many supporters once he entered politics, as did his “all-American,” patriotic rhetoric – consistent with many of the roles he was typecast for – that he employed in many speeches.²³

Ronald loved being an actor. Biographer Lou Cannon writes that “acting was not a phase of Reagan’s life but the essence of it. He spent thirty years of his life in Hollywood, and he did not cease being an actor when he left.”²⁴

Cannon argues that Reagan’s acting career serves as an apt introduction to Reagan’s ambition and desire to do more. He was a man that “consistently sought more than the

¹⁹ See Cannon, 76 for a story about a historic inaccuracy that Reagan refused to omit from his 1981 Inaugural Speech because he liked its dramatic effect.

²⁰ John Sbardellati, “Reagan’s Early Years: From Dixon to Hollywood,” in *A Companion to Ronald Reagan*, Wiley Blackwell Presidential Companions (Malden, MA: John Wiley & Sons, Inc., 2015), 11.

²¹ Lou Cannon, *Governor Reagan: His Rise to Power* (New York, NY: PublicAffairs, 2003), 53.

²² Cannon, 60.

²³ Sbardellati, “Reagan’s Early Years: From Dixon to Hollywood,” 11.

²⁴ Lou Cannon, *Governor Reagan: His Rise to Power* (New York, NY: PublicAffairs, 2003), 51-61. As cited by Sbardellati, 14.

accomplishment that was in easy range of his talent... he was never content with the role others assigned to him. He believed in himself.”²⁵ And Reagan’s belief in himself propelled him to higher roles than anyone could have imagined, like the presidency – Reagan’s “role of a lifetime.”²⁶

The Formation of Reagan’s Political Ethos

Ronald Reagan was raised a Democrat. He remembers his dad as a “fierce foe of racial and religious intolerance” and “a sentimental Democratic who believed fervently in the rights of the working-man.”²⁷ He proudly cast the first ballot of his life for Franklin Roosevelt in 1932 and proceeded to vote for him every chance he could – from 1932 through 1944.²⁸ Reagan saw firsthand the benefits of Roosevelt’s New Deal and the Federal Emergency Relief Administration (which later expanded into the Civil Works Administration). It provided a necessary “lifeline” for Jack Reagan once the Great Depression hit; Reagan credited FDR for “saving his family.”²⁹

As a result of Jack Reagan’s liberalism, Ronald Reagan was staunchly pro-union as he entered Hollywood. Thus, it is appropriate that union leadership served as Reagan’s political training ground. He was elected president of the Screen Actors Guild five times in a row and was later brought back for a sixth term “in which he led a successful strike against the movie producers.”³⁰

However, Reagan’s political thought evolved over the course of his union leadership and he became markedly more conservative as Communism spread into Hollywood. The

²⁵ Cannon, *Governor Reagan: His Rise to Power*, 60.

²⁶ Cannon, *President Reagan: The Role of a Lifetime*.

²⁷ Cannon, *Governor Reagan: His Rise to Power*, 13.

²⁸ Clune, “Political Ideology and Activism to 1966,” 26.

²⁹ Cannon, *Governor Reagan: His Rise to Power*, 40.

³⁰ Cannon, 83.

Communists were “fascinated by Hollywood,” and thought, because it was “the center of American popular culture,” a successful communist infiltration could create movies to “change the social consciousness of Americans.”³¹ Reagan quickly became disillusioned with the communist movement within Hollywood, and he agreed to serve as an FBI informant working to purge communists from the industry.³² Gary Wills, a Reagan historian, argues that this anti-communist work reveals that the actor’s “views were conservative, business-oriented and actively anti-Communist from 1947 on.”³³

Reagan’s conservative evolution was supported by increased connectivity to right-wing ideals through his marriage to Nancy Davis in 1952. Davis came from a politically conservative family and her father, Loyal Davis, was a politically connected and active man. Loyal Davis first introduced Reagan to Barry Goldwater, the presidential nominee whose campaign thrust Reagan into the conservative political limelight, and he is credited with having “influenced the rightward drift of his new son-in-law.”³⁴

Reagan’s conservatism also developed during his career at General Electric (GE), where he hosted the television show *General Electric Theater* to promote GE products once his Hollywood career began to wane. As a part of the job, Reagan toured various GE plants across the country and spoke to GE workers and civic groups.³⁵ These speeches were a “‘useful political training ground’ where Reagan honed his craft and his evolving political message.”³⁶ Although Reagan was still a nominal Democrat, during his time at GE his Democratic distrust of Big Business evolved into a Republican distrust for Big Government.³⁷

³¹ Cannon, 86.

³² Clune, “Political Ideology and Activism to 1966,” 24.

³³ Gary Wills, *Reagan’s America: Innocents at Home* (Penguin, 2000), 306. As cited by Clune, 25.

³⁴ Clune, 28.

³⁵ Clune, 29.

³⁶ Clune, 29.

³⁷ Cannon, *Governor Reagan: His Rise to Power*, 109.

Thus, Reagan entered the 1960s with growing conservative values. He now embraced the “small government and lower taxes espoused by those within the GE corporate environment,” and had a strong faith in the free market.³⁸ These values would continue to guide his political thought as he ascended to the presidency.

Although Reagan’s party affiliation evolved greatly between his first vote and his gubernatorial campaign, his political ethos remained relatively stable. Biographer Lou Cannon writes:

The essence of Reagan’s politics in both its Democratic and Republican formulations was a sentimental populism in which he expressed himself as an ordinary man who shared the values of his constituents... He stood up to the power elites – first in business, then in government and the media... He was a mirror who reflected the values of everyday Americans and was one with those whom he represented.³⁹

Rise to the Presidency

Ronald Reagan gained national attention as a rising conservative star when he delivered his famous speech, “A Time for Choosing,” in favor of the 1964 Republican nominee for president, Senator Barry Goldwater. During the speech, Ronald admitted to being a Democrat for much of his young adulthood, and he explained why he now believed in small government and identified as a Republican. He argued that the American people had relinquished too much of their freedoms to the federal government; he emphasized that recently the government had been stepping on people’s liberties – bringing attention to the beginning of Johnson’s Great Society – and that conservatism was needed to restore individual freedom. Poignantly, he said:

You and I are told increasingly we have to choose between a left or right. Well I'd like to suggest there is no such thing as a left or right. There's only an up or down – [up] man's old-aged dream, the ultimate in individual freedom consistent with law and order, or down to the ant heap of totalitarianism. And regardless of their sincerity, their

³⁸ Clune, “Political Ideology and Activism to 1966,” 30.

³⁹ Cannon, *Governor Reagan: His Rise to Power*, 83.

humanitarian motives, those who would trade our freedom for security have embarked on this downward course.⁴⁰

The speech “confirmed Reagan as ‘the new conservative standard-bearer’ for the Republican party.”⁴¹ Although as noted in Chapter 3 Goldwater lost the 1964 election to the incumbent Lyndon Johnson, “the Right’s capture of the Republican Party fully legitimized conservatism,”⁴² creating space for Reagan to ascend to political prominence as a spokesman for small government and individual liberties. The powerful impact of “A Time for Choosing” and Reagan’s poise in delivering the speech caused many wealthy and active conservatives to urge Reagan to run for office. He officially announced that he would seek the governorship of California in January of 1966, challenging the incumbent Pat Brown.

Reagan defeated the Governor Brown for two reasons: because he aligned himself with law and order during a time of civil unrest – drawing on the Watts Riots of 1965 and unrest on college campuses due to Vietnam, and because Pat Brown, in underestimating Reagan, ran a bad campaign. Historian Gary Wills argues that Reagan used his oratorical skills that earned him the nickname the “Great Communicator” to infuse his “‘riven and bitter party’ with the ‘nice-guyism that was Reagan’s specialty.’”⁴³ Brown’s smear tactics to try and pin Reagan as an actor with little experience backfired, as Californians began to favor a political outsider over the incumbent who had not improved their lives.

The governorship proved to be an important political training ground for Reagan. He learned how to run a government – or delegate the hard work to the more experienced operatives

⁴⁰ Ronald Reagan, “A Time for Choosing” (Speech, Los Angeles, CA, October 27, 1964).

⁴¹ Clune, “Political Ideology and Activism to 1966,” 33.

⁴² Mary Brennan, *Turning Right in the Sixties: The Conservative Capture of the GOP* (University of North Carolina Press, 1995), 140-141. As cited by Clune, 34.

⁴³ Gary Wills, *Reagan’s America: Innocents at Home* (Doubleday, 1987), 349. As cited by Kurt Schuparra, “Reagan’s Gubernatorial Years: From Conservative Spokesman to National Politician,” in *A Companion to Ronald Reagan*, Wiley Blackwell Presidential Companions (Malden, MA: John Wiley & Sons, Inc., 2015), 42.

he surrounded himself with. On a day-to-day basis, Reagan “focused on communicating the ideas that had propelled him into politics,” instead of fretting on political logistics and scheduling.⁴⁴ This remained consistent even as Reagan became president. Learning how to assemble a strong support staff to handle politics on the ground was one of the major lessons Reagan gained as governor. It served him well as president, especially with the productive troika of James Baker, Edwin Meese, and Michael Deaver in his first term.

Re-elected in 1970, Reagan soon aspired for higher office. After losing the 1976 Republican primary to incumbent Gerald Ford, he defeated Jimmy Carter in 1980 to become president.

Political Context of 1980

In 1976, the *New York Times* wrote that “‘political professionals of both major parties’ believed that the GOP was ‘closer to extinction than ever before in its 122-year history.’”⁴⁵ The Democrats, on the other hand, continued to benefit from the general goodwill inspired by the presidential programs of the past – namely the New Deal and the Great Society. They also increased in favor after Republican president Richard Nixon resigned in disgrace after the Watergate scandal. Gerald Ford’s pollster, Robert Teeter, found in 1976 that only 18 percent of American voters reported loyalty to the Republican party.⁴⁶ In 1976, the Democratic nominee for president, Jimmy Carter – a progressive southern Democrat passionate about environmentalism – appeared as the antidote to Republican corruption. His Southern Baptist roots endeared him to religious Americans and his vows to shun traditional Washington politicking garnered support in

⁴⁴ Cannon, *Governor Reagan: His Rise to Power*, 173.

⁴⁵ As cited by Rick Perlstein, *Reaganland: America’s Right Turn 1976-1980* (New York, NY: Simon and Schuster, 2020), 4.

⁴⁶ As cited in Perlstein, 4.

a post-Watergate context. America “fell in love” with Carter, believing that he would “save our country” and “make us all better people.”⁴⁷

President Carter did not live up to the billing. He lost his religious constituents by refusing to ban abortion and supporting gay rights.⁴⁸ He outraged liberals by pledging to reduce federal spending and outraged conservatives by canceling the development of a new B-1 strategic bomber (although he did increase the defense budget).⁴⁹ His anti-Washington style also brought about controversy in the White House. Carter appointed Bert Lance, a banker and old friend from Georgia, as his Director of the Office of Management and Budget. Lance was quickly embroiled in scandal for permitting corruption in his Georgia bank, and despite Carter’s misguided support, had to resign within the first year.⁵⁰ President Carter also struggled to pass his landmark energy bill.⁵¹ These are but a few of Carter’s difficulties, emblematic of his troubles throughout his sole term.

The political context of the 1980s was starkly informed by the legacy of the disintegrating New Deal Democratic regime. President Jimmy Carter appeared beaten down and “helpless” after his four years in office.⁵² Watergate, eight years prior, had severely eroded the people’s confidence in the president, teaching people “not to care.”⁵³ Gerald Ford, after promising not to interfere in the judicial processes and investigations into Watergate, pardoned Nixon as his first official act. Carter was unable to even exploit co-partisan advantages to pass bills, and he is remembered largely as inept. Carter’s failures as a leader, especially after the failures of Spiro Agnew, Nixon, and Ford, caused Americans to search for “a leader who could

⁴⁷ As cited by Perlstein, 5.

⁴⁸ Perlstein, 89.

⁴⁹ Perlstein, 119.

⁵⁰ Perlstein, 145.

⁵¹ Perlstein, 165.

⁵² Mieczkowski, “Reagan Runs: His Campaigns for the Presidency, 1976, 1980, and 1984,” 57.

⁵³ As cited by Perlstein, *Reaganland: America’s Right Turn 1976-1980*, 5.

act as an antidote”⁵⁴ – a man who could restore prestige to the highest office in the most powerful country in the world.

Ronald Reagan, “whose love of country was unabashed,”⁵⁵ spoke the language of the common man and became recognized as that potential “antidote.” Through popular appeal to ideals of small government, low taxes, and supporting the military, Reagan quickly garnered a national following. The rise of Barry Goldwater’s conservative extremism in the 1964 presidential election created a new sect of the Republican party for Reagan to head in the 1980s. Historian Mary Brennan, author of *Turning Right in the Sixties*, argues that “If there had been no Barry Goldwater, there could have been no Ronald Reagan.”⁵⁶

Goldwater and Reagan conservatives, the “New Right,” were defined as “the populist-conservative groups emphasizing social issues, religious and cultural alienation, antielite rhetoric, lower-middle-class constituencies, populist fund-raising and plebiscitary opinion mobilization.”⁵⁷ More simply, the New Right worked to recreate conservatism “as an ideology for working people.”⁵⁸

Although the big government legislative successes of FDR’s New Deal and LBJ’s Great Society represented victories for liberals in favor of governmental assistance programs, such large presidential programs stirred up deep resentment in socially conservative circles. Kevin Phillips, one of the political leaders of the coalition,⁵⁹ attributes the rise of the “New Right” to “three ‘powerful patterns’: first, it is a ‘partial heir’ to the George Wallace movement, based on

⁵⁴ Mieczkowski, “Reagan Runs: His Campaigns for the Presidency, 1976, 1980, and 1984,” 57.

⁵⁵ Mieczkowski, 61.

⁵⁶ Mary Brennan, *Turning Right in the Sixties: The Conservative Capture of the GOP* (University of North Carolina Press, 1995), 140-141. As cited by Clune, “Political Ideology and Activism to 1966,” 34.

⁵⁷ Kevin Phillips, *Post-Conservative America: People, Politics and Ideology in a Time of Crisis* (Random House, 1982), 47-49. As cited by Sundquist, *Dynamics of the Party System: Alignment and Realignment of Political Parties in the United States*, 414.

⁵⁸ Perlstein, *Reaganland: America’s Right Turn 1976-1980*, 33.

⁵⁹ Phillips was a leader of the movement – a “thought leader” perhaps – but was not elected official.

the white lower-middle classes of the South and West; second, it is closely allied with the antiabortion movement; third, it is the political expression of what may be a new religious revival.”⁶⁰ In essence, the New Right sought to harness the growing societal discontent with progressive civil rights, abortion, and LGBT legislation to create a new, religious, blue-collar, white, conservative coalition that would support the more extremist views of leaders like Reagan or Senator Orrin Hatch.

The goal of party-builders like Kevin Phillips was to “build a cultural siege-engine out of the populist steel of Idaho, Mississippi, and working-class Milwaukee, and then blast the Eastern liberal establishment to ideological-institutional smithereens.”⁶¹ Another New Right leader said that he “was fighting a guerrilla battle at the grassroots of a generation of lower-middle-class people who feel betrayed and exploited.”⁶² Kevin Phillips and Richard Viguerie – an infamous fundraiser and organizer – quickly grew a mailing list of disenchanted conservatives and working-class Democrats who were receptive to their ideas. The New Right was “eager to accept that their end – the survival of Western civilization – most decidedly justified nearly any means,”⁶³ leading to an extremely aggressive, and consequentially successful, campaign to raise support.

The first electoral success of the New Right came with the 1976 election of Orrin Hatch to represent Utah in the Senate. He defeated established and respected Democrat Frank Moss, a three-term incumbent, through New Right fundraising, mailers, and an endorsement by then-former Governor Reagan. Recognizing a shifting political environment, Republican leadership

⁶⁰ Sundquist, *Dynamics of the Party System: Alignment and Realignment of Political Parties in the United States*, 414.

⁶¹ As cited by Perlstein, *Reaganland: America's Right Turn 1976-1980*, 33.

⁶² As cited by Perlstein, 33.

⁶³ Perlstein, 35.

elevated Hatch and his more-extreme conservative peers to leadership in Congress, cementing the beginning of a rightwards electoral and moral shift in the Republican party.

4.3 Case Study: The Economic Recovery Act of 1981 and the Education Department

Origins of the Tax Cut

In 1980, inflation was ravaging the country. A 1978 Gallup poll showed that 83 percent of respondents cited inflation as the nation's "most important problem."⁶⁴ Unemployment was not helping to bring down inflation, which had been the case during the Cold War era. Instead, stagflation – "the simultaneous appearance of inflation and unemployment"⁶⁵ – a concept that, according to the current economic theory, should not have been possible, loomed. President Carter's efforts to address the economic crisis were largely ineffective. The Democrats were investing in traditional anti-recession measures such as big job bills; however, no policy was making an impact.⁶⁶

In accepting the Republican presidential nomination in July of 1980, Reagan said that there were "'three grave threats' facing the country" including the "'indigestible economic stew' of inflation, unemployment, high taxes, and deficit spending."⁶⁷ To counteract these threats, Reagan presented an extremely digestible agenda: lower taxes, smaller government, and increased military spending. Reagan's ability to distill large issues symptomatic of the recession into tangible and seemingly attainable policy goals created a compelling platform for struggling Americans.

⁶⁴ As cited by Monica Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution* (New York, NY: Russell Sage Foundation, 2018), 21.

⁶⁵ Prasad, 22.

⁶⁶ Prasad, 22.

⁶⁷ Mieczkowski, "Reagan Runs: His Campaigns for the Presidency, 1976, 1980, and 1984," 59.

The Economic Recovery Tax Act (ERTA) was the landmark bill of Reagan's anti-recession platform. The earliest iteration of this conservative tax cut was proposed by Congressman Jack Kemp in 1974. He called it the Jobs Creation Act, and it was an act that aimed to lower capital gains taxes and corporate taxes. The idea failed. While Kemp was attempting to figure out a conservative strategy to counter the recession, a group of economists were simultaneously collaborating to come up with their own proposal. Jude Wanniski, Robert Mundell, and Arthur Laffer were pioneers in supply-side economics. The two economists, Mundell and Laffer, posited that "if inflation is a matter of too much money chasing too few goods, then to bring down inflation one can either restrict the amount of money available (addressing the demand side) or make more goods available (boosting the supply side)."⁶⁸ They argued that "tax cuts would give incentives to businesses to produce more and workers to work more, which would lead to both greater employment and lower inflation."⁶⁹ Wanniski was a journalist with the *Wall Street Journal* and advertised the theory through that conservative outlet. Wanniski was well-connected politically and he managed to get a meeting with Congressman Kemp to pitch supply-side to a like-minded politician.⁷⁰

The Kemp and Wanniski meeting "produced a congressional staff committed to the idea, economists willing to argue for it, and a public relations wing on the opinion page of the *Wall Street Journal*."⁷¹ Wanniski introduced Kemp to the Mundell and Laffer individual tax cut idea and urged Kemp to implement it into his business-focused bill. The result was a much more politically pragmatic piece of legislation: tax cuts would boost the economy and win votes from working-class populations. After decades of Democratic party control of the working-class

⁶⁸ Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution*, 27.

⁶⁹ Prasad, 27.

⁷⁰ Prasad, 31.

⁷¹ Prasad, 33–34.

vote,⁷² the tax cut presented an opportunity to win the working-class back. Republicans adopted the tax cut platform wholeheartedly.

The Early Days of the Reagan Revolution

Ronald Reagan was elected in 1980 by a surprising margin. He had been the presumed Republican nominee since he almost primaryed incumbent Gerald Ford in 1976. His endorsement carried significant weight in the 1978 midterms, and through newspaper columns, press conferences, and informal diplomatic travels, Reagan had stayed in the political limelight and maintained favor in the eyes of Americans. On election day, Reagan and Carter were almost even in polls. However, Reagan won by an 11-point margin – 51 to 40 percent in the popular vote. A Republican Senate was elected due to the magnitude of his victory – it was the first time that the Senate had been held by Republicans in 25 years – and Reagan won in “every region of the country.”⁷³ Thus, the sweeping victory in the 1980 election presented an opportunity for Reagan and the party construct an electoral mandate to harness in pushing for the passage of his tax bill.

Reagan’s immediate legislative priority upon his inauguration was to pass the ERTA. The bill included the Kemp-Roth tax plan (a plan focused on individual tax cuts of up to 30% over three years created by Jack Kemp and Delaware Senator William Roth) and additional business incentives; it was a true supply-side, conservative bill. The Reagan administration chose to make speed their central strategy in passing the bill. David Stockman, Director of the Office of Management and Budget (OMB) warned in his first strategy memo that “our enemy is time,” and

⁷² The Republican National Committee argued that the Democrats had “Tammanyized” the working-class vote through their decades of pro-union policy and large governmental assistance programs (Prasad, 36)

⁷³ Mieczkowski, “Reagan Runs: His Campaigns for the Presidency, 1976, 1980, and 1984,” 61–62.

reported his fear of “the resurgent political forces of the status quo.”⁷⁴

Reagan first spoke in favor of the bill in a speech to the American public on February 18th. A poll by Richard Wirthlin (Reagan’s pollster) found that “39% of respondents had watched or heard all of the speech, another 25 percent had watched or heard part of it, and another 18 percent had read or heard about it later.” 78% of respondents who had seen or heard it were impressed.⁷⁵ Reagan had sold the public on the plan. He then turned it over to Congressional Republicans to pass it through the two chambers.

Victory was not a given for the ERTA. The Democratic House was a formidable opponent. Holding a 26-seat majority and armed with Reagan’s early low-approval rating of 53%, the Democrats posed a significant challenge. Because the Republicans were the minority in the House, winning conservative and moderate Democrats’ votes would be essential to passing the bill. The Reagan White House effectively framed the measure as a referendum on the president, asking “Are you with Ronald Reagan or against him?”⁷⁶ Ever attuned to the public, House Democrats overwhelmingly realized that their constituents were with Reagan, and that Americans were desperate to end the recession. Democratic Speaker of the House Tip O’Neill therefore decided not to use procedural maneuvers to obstruct the legislative process to avoid any blame being pointed towards the left for being “obstructionist while the nation was in economic crisis.”⁷⁷ However, cognizant of the popular demand, the Democrats decided to appropriate the Republican anti-inflation strategy and create a tax cut of their own.

Scholars remember the decision to create a Democratic version of the ERTA as the

⁷⁴ Grossback, Peterson, and Stimson, *Mandate Politics*, 7.

⁷⁵ Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution*, 95.

⁷⁶ Grossback, Peterson, and Stimson, *Mandate Politics*, 5.

⁷⁷ Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution*, 109.

“fateful decision” in ERTA passage.⁷⁸ In a stroke of misfortune – ironically for the Democrats and grimly for the nation – the day O’Neill was set to present their version of the tax cut to the public, Reagan was wounded in an assassination attempt. The country, shocked by the assassination attempt, immediately consolidated support behind their injured president. The Democratic bill was doomed to fail before it had even been publicly announced, as the Republican’s policy window opened anew.

Reagan’s approval rating skyrocketed to 73% after the assassination attempt.⁷⁹ Building off the momentum, the President legislated from his sickbed, calling conservative Democratic holdouts on the ERTA and garnering their firm commitments for votes. Reagan’s first return to the public light was in April at a joint session of Congress. The “Great Communicator” shone in his return, thanking the nation for its prayers and love while he was recovering and imploring legislators to support the tax cut, saying:

“Tonight, I renew my call for us to work as a team, to join in cooperation so that we find answers which will begin to solve all our economic problems and not just some of them. The economic recovery package that I’ve outlined to you over the past weeks is, I deeply believe, the only answer that we have left.”⁸⁰

The assassination attempt and increased public support gave Reagan a mandate to grab onto and justify anti-inflationary action, propelling the ERTA to the legislative forefront. Reagan’s mandate simply “exaggerated the [existing] lines and trends” in Congress – as the Democratic version of the bill demonstrated the existence of a bipartisan desire for a tax cut, ultimately giving the Republican program a leg-up towards passage.⁸¹

⁷⁸ Prasad, 110.

⁷⁹ Prasad, 111.

⁸⁰ Ronald Reagan, “Address Before a Joint Session of the Congress on the Program for Economic Recovery” (Speech, Address Before a Joint Session of the Congress on the Program for Economic Recovery, Washington, D.C., April 28, 1961).

⁸¹ Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution*, 112.

Getting the Votes

By April, the Republicans still did not have the votes to pass their tax cut. Complicating matters, the inconsistent voting behaviors of the conservative southern branch of the Democratic Party – the “Boll Weevils” – and the liberal northern branch of the Republican Party – the “Gypsy Moths” – presented both the opportunity to gain cross-party votes and lose co-partisan support. In an effort to stymie the Republicans, Democratic leadership began offering concessions on their bill – amendments that could be added on to benefit a certain representative (for example, an amendment for a public works project in a specific district) – to try and solidify wavering boll weevil support and to acquire gypsy moth votes. Struggling to compete, the Republicans opened the ERTA to concessions as well, creating an unending deluge of concessions on both sides.

While thwarting the Democratic concession strategy was important, the White House still did not have enough votes secured to bring the ERTA to committee. Reagan the legislator stepped up to meet the challenge. Reagan paid “individual attention” to even “low-level members of Congress;” he personally called wavering congressional members, invited several to Camp David (considered a great honor), wrote handwritten notes, and personally met with them when possible.⁸² One academic analysis found that “67 percent of the seventy-one Democrats in the House of Representatives who were targeted by the president... voted for his tax bill.”⁸³

Reagan’s final effort to facilitate the bill’s passage was a public appeal. On July 27, two days before the House was scheduled to vote between the ERTA and the Democratic version, Reagan gave a televised speech “explicitly asking viewers to call their representatives and senators” in favor of his bill. In an immense showing of public support, his speech stimulated

⁸² Prasad, 116–17.

⁸³ Prasad, 118.

twice as many calls and four times as many telegrams for Capitol Hill.⁸⁴ Legislative incentives, personal outreach from the president, and public support, sealed the ERTA's passage. Reagan's efforts caused Speaker O'Neill to lament, in conceding defeat, "I can read [members of] Congress. They go with the will of the people, and the will of the people is to go along with the president."⁸⁵ Forty-eight Democrats voted across party lines to support the ERTA.⁸⁶

Varying Success: Cutting the Education Department

Reagan's early success in passing the Economic Recovery Tax Act was difficult to replicate as he progressed through his presidency. Like all presidents, Reagan faced evolving political and social conditions that opened and closed policy windows and led to varying power over his tenure. Poor political decisions, such as Reagan's navigation of the Iran Contra Affair, also contributed to fluctuations of power resulting from waning public support. Legislative failures, in addition to successes, provide important lessons on conditions where change is or is not possible, and what tools and skills a president can use to try and circumvent an inopportune context.

Reagan's unsuccessful battle to dismantle the Department of Education is a notable example of a legislative failure. Ronald Reagan ran on a platform focused on shrinking government. In his July 17th speech accepting the 1980 Republican nomination for president, Reagan said that "it is clear our federal government is overgrown and overweight. Indeed, it is

⁸⁴ Prasad, 119.

⁸⁵ Grossback, Peterson, and Stimson, *Mandate Politics*, 8.

⁸⁶ It's important to note that the 1980 congressional rule change to stop producing two budget resolutions a year provided Reagan and the Republicans an avenue to pass the bill through nontraditional legislative measures. They instead used the budget reconciliation process, which allowed them to pass what "normally would require at least a dozen separate bills" in two votes – "the first on the budget resolution, and the second on the reconciliation bill." This strategy worked, and, in addition to Reagan's speeches and legislating, played a large role in the passage of the ERTA. Tonja Jacobi and Jeff VanDam, "The Filibuster and Reconciliation: The Future of Majoritarian Lawmaking in the U.S. Senate," *U.C. Davis Law Review* 47, no. 1 (November 2013): 301–2.

time for our government to go on a diet.”⁸⁷ Calling on the words of Franklin Roosevelt’s acceptance speech in 1932, he called to “abolish useless offices... [and] eliminate unnecessary functions of government.”⁸⁸ At the top of his list of “useless offices” to abolish were Carter’s newly created Department of Energy and Department of Education – offices that Reagan and his administration believed were “great bureaucratic jokes.”⁸⁹

President Reagan appointed Terrel H. Bell to be the second Secretary of Education. Knowing that the Department of Education was a target for extinction, Reagan appointed Bell under the assumption that Bell would work, as Secretary, to help dismantle his department. Bell, in reflecting on his time with the administration, claims that he “made a commitment to the President to support a change in the status of the federal government’s education agency,” but that he “did not plan to abolish the programs of federal financial assistance that were designed to help the states help those in need of adequate education.”⁹⁰ Thus, there existed early tensions between Reagan’s Education Secretary and Reagan’s desire to eradicate the department.

Early policy deliberations between Bell, the White House, and the Office of Management and Budget revolved around knocking the Department of Education from a Cabinet-level position and restructuring it into a foundation, like the National Science Foundation.⁹¹ As a foundation, the federal government could still allocate money to states to help supplement their education budgets, but they would not have jurisdictional powers over the educational processes. The overall justification for Reagan’s desire to eliminate the Department was his strong belief in small government; he wanted to enhance states’ rights and decrease federal spending. However,

⁸⁷ Ronald Reagan, “Address Accepting the Presidential Nomination at the Republican National Convention” (Speech, Republican National Convention, Detroit, MI, July 17, 1980).

⁸⁸ Reagan.

⁸⁹ Cannon, *President Reagan: The Role of a Lifetime*, 64.

⁹⁰ Terrel H. Bell, “Education Policy Development in the Reagan Administration,” *The Phi Delta Kappan* 67, no. 7 (1986): 489.

⁹¹ Bell, 489.

Bell writes that there was no “consistent, rational Administration [education] policy” throughout his tenure as Secretary, despite the foundation policy alternative being presented.⁹²

Abolition of the Department of Education was an early Reagan campaign promise, and he restated it in his 1982 State of the Union Address, claiming that “the budget plan I submit to you on February 8th will realize major savings by dismantling the Department of Education.”⁹³ However, the movement never gained traction for two important reasons. First, Terrel Bell’s 1983 report, *A Nation at Risk*, shocked the nation. Research by the Department of Education found that American schools were failing – students were scoring lower on tests, and the overall attainment of Americans was lacking in comparison to other industrialized nations. The report led to a flurry of reform efforts on a local, state, and national level, becoming a domestic policy issue for Democrats and Republicans to run on alike in efforts to be seen as the party for America’s children.⁹⁴ The report thus starkly decreased the likelihood that anyone in Congress would support abolishing the Department.

The second main factor behind Reagan’s legislative failure was that Reagan did not have enough votes. A 1982 interview with Secretary Bell revealed that only 19 Senators were in favor of dismantling the Department of Education, far from a majority in the Republican-controlled chamber.⁹⁵ Eventually powerful Republicans, including Senate Majority Leader Howard Baker began to advocate against abolishing it.⁹⁶ Republican Senator Lowell Weicker Jr. threatened to tie up the 1985 nomination of the next Secretary of Education without the promise of

⁹² Bell, 490.

⁹³ Ronald Reagan, “Annual Message to the Congress on the State of the Union” (Speech, State of the Union, Washington, D.C., January 26, 1982).

⁹⁴ Bell, “Education Policy Development in the Reagan Administration,” 492.

⁹⁵ Fred M. Hechinger, “The Reagan Effect; The Department That Would Not Die,” *The New York Times*, November 14, 1982, sec. Education, <https://www.nytimes.com/1982/11/14/education/the-reagan-effect-the-department-that-would-not-die.html>.

⁹⁶ Hechinger.

maintaining the Department.⁹⁷

Reagan officially withdrew from efforts to abolish the Department in a 1985 letter to Senator Orrin Hatch, citing “very little support in Congress.”⁹⁸

4.4 Assessing the Reagan Presidency

Political Context

Policy windows – “opportunities for action” where typical bureaucratic restraints subside – create a political context ripe for change. Policy windows are most often opened after political developments (like an election or a crisis) or the recognition of a societal problem (which serves as a focusing event).⁹⁹ The 1980 economic recession immediately opened a policy window for Reagan to pass his tax cut once he assumed the presidency. In a recession, economic insecurity, unemployment, and inflation are near-universal experiences that quickly facilitate problem recognition – the first step in policy formulation. The Carter administration had failed to address the recession, and the American people were hurting. The nationwide crisis “bowled over everything standing in the way of prominence on the agenda,” and made the ERTA a political priority.¹⁰⁰

The momentum for passing the ERTA garnered by the policy window was supplemented by the mandate derived from Reagan’s electoral victory. Reagan’s unexpectedly large victory, in addition to the surprisingly sweeping gains in the Senate, provided him with an incredibly potent mandate. According to Grossback, Peterson, and Stimson, a mandate is a “shared conclusion”

⁹⁷ “Reagan Says He Won’t Seek End to Education Dept. Now,” *The New York Times*, January 30, 1985, <https://www.nytimes.com/1985/01/30/us/reagan-says-he-won-t-see-end-to-education-dept-now.html>.

⁹⁸ “Reagan, Citing Opposition, Pledges Not To Abolish E.D. ‘At This Time,’” *Education Week*, February 6, 1985, sec. Education, <https://www.edweek.org/education/reagan-citing-opposition-pledges-not-to-abolish-e-d-at-this-time/1985/02>.

⁹⁹ Keeler, “Opening the Window for Reform,” 436.

¹⁰⁰ Kingdon, *Agendas, Alternatives, and Public Policies*, 96.

about the message communicated by electoral results. Grossback and his fellow authors argue that a mandate is only empirically significant when it significantly alters congressional voting behavior.¹⁰¹ In their book, *Mandate Politics*, they found only three empirically supported mandates. The election of 1980 created such a mandate.¹⁰²

Mandate perceptions are influential, instructing vulnerable members of Congress how to vote to best represent the will of the people.¹⁰³ As Speaker of the House Tip O'Neill aptly summarized as the ERTA was nearing its passage, "they [Representatives] go with the will of the people, and the will of the people is to go along with the president."¹⁰⁴ The realignment behind the voting bloc that elected Reagan also indicated a society-wide shift in public opinion. Such realignment sent a clear message to legislators that Americans wanted Reaganesque, New Right ideas as opposed to the failing New Deal ones. The realignment compounded mandate messaging, making it "electorally wise" for members of Congress, worried about the rising New Right, to support Reagan.¹⁰⁵

Although the economic crisis created an opportune moment for political change, the ERTA stalled in Congress as it came up against the Democratic House. Democrats were reluctant to grant the new president an early legislative victory. The assassination attempt on Reagan's life, however, brought new life to the bill. It became a focusing event, rallying the public behind him to reinvigorate the recession-inspired policy window. Reagan's approval

¹⁰¹ Grossback, Peterson, and Stimson, *Mandate Politics*, 65–66.

¹⁰² The mandate was especially strong in the early months of 1981. Grossback, Peterson, and Stimson found that "the House moved well toward the conservative end of the scale in those early months, permitting the passage of the omnibus budget resolution in which the whole Reagan package of tax cuts, domestic spending cuts, and defense increases was packaged." The House, however, gradually became more liberal after the passage of the ERTA (pp. 111–112).

¹⁰³ Grossback, Peterson, and Stimson, 186.

¹⁰⁴ Grossback, Peterson, and Stimson, 8.

¹⁰⁵ Grossback, Peterson, and Stimson, 186.

rating jumped 20%, and he effectively utilized the near-death sympathy to advocate for support from wavering congressmen in personal calls and in speeches to the chamber.

Political time is another important element of the political context. Reagan was elected in direct repudiation of the failing New Deal regime, positioning him to be a reconstructive president with an “expansive warrant for disruption.”¹⁰⁶ A reconstructive moment arises due to a “general political consensus that something fundamental had gone wrong in the high affairs of the state,” creating a warrant for the president-elect to “shatter the politics of the past, orchestrate the establishment of a new coalition, and enshrine the new commitments as the restoration of original values.”¹⁰⁷ However, Reagan was not as productive as one would expect from a reconstructive president.

One of the “hallmarks of prior reconstructive episodes” is the impulse of the leader to “cast the widest possible net in the initial reform program and let unfolding events sharpen the imperatives of making the break more decisive.”¹⁰⁸ Reagan did not take this tact: instead of working in collaboration with the Democratic House, he sought to aggressively advance the New Right agenda. The Reagan administration exhibited “little patience for an accommodating overture” – collecting feedback on the “wide net” program to inform future action – instead, the administration sought to take “maximum advantage of whatever political disillusionment and disarray the election had created.”¹⁰⁹

Making speed a “central element of the budget strategy,” out of “fear” of the status quo exemplifies the degree to which Reagan sought to aggressively pass the ERTA.¹¹⁰ Further

¹⁰⁶ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 23.

¹⁰⁷ Skowronek, 37–39.

¹⁰⁸ Skowronek, 419.

¹⁰⁹ Skowronek, 419.

¹¹⁰ Grossback, Peterson, and Stimson, *Mandate Politics*, 7.

research into Stockman's strategy illuminates the administration's significant political manipulation. He wrote that "the strategy [in the Spring of 1981] was to bring all the power of the Great Communicator to bear on [the Congress] and shove our budget cuts down their throats."¹¹¹ Stockman noted that the tax cut "implied a stunningly radical theory of governance. The constitutional prerogatives of the legislative branch would have to be, in effect, suspended."¹¹² In contrast to the usual institutional renegotiation of boundaries inherent to an election, the Reagan administration sought a renegotiation of the structure of governance to pass the bill, increasing the executive prerogative while decreasing the prerogatives of Congress. While the strategy proved effective in passing the ERTA, it eroded the potential for future president- and administrative-led action.

Constitutional Tools

The case study did not reveal any use of unilateralism or veto bargaining to create change. There was bipartisan interest in passing a tax cut to address the severe recession. Therefore, the ensuing policy window did not require unilateral actions typical in a divided government.

Legislative Skills

Ronald Reagan was the "Great Communicator," and when the "Great Communicator" spoke, people listened. He had an enormous influence across the constituency. Fellow Americans saw Reagan as a "wholesome citizen-hero" who had a "knack of converting others to his

¹¹¹ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 419.

¹¹² Skowronek, 418.

optimism” and made people feel “better about themselves.”¹¹³ He was thus able to garner legislative support through public appeals.

Reagan’s skill in effective communication allowed him to constantly understand – and improve – his position vis a vis his constituents, a key tenet in both creating new opportunities and solidifying existing ones according to George Edwards.¹¹⁴ Examples abound of how Reagan’s communication facilitated the passage of the ERTA. A notable one occurred right before the vote on the ERTA. Building off the momentum of the failed assassination focusing event, Reagan appealed for a popular show of support in a July address to win over any undecided members of Congress. Calls and telegrams to the White House doubled and quadrupled, respectively.¹¹⁵

Scholars Jeffrey Tulis and Samuel Kernell explore the impact of the increasing use of rhetoric, especially in the style of going public, as a means for a president to achieve their policy goals. Going public encompasses “a class of activities that presidents engage in as they promote themselves and their policies before the American public.”¹¹⁶ Such rhetoric allows presidents to bypass Congress and go straight to the American public for support on initiatives. The trend began with Woodrow Wilson but was more heavily utilized by Reagan than his predecessors. Such “direct and dramatic applications of popular pressure,” Tulis argues, is a new and potent skill for presidents to use within the rhetorical presidency.¹¹⁷ However, there are worrisome implications for a president seeking to derive success by becoming a “popular leader” and evading the traditional legislative process.¹¹⁸

¹¹³ Cannon, *President Reagan: The Role of a Lifetime*.

¹¹⁴ Edwards, *Predicting the Presidency*, 19.

¹¹⁵ Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution*, 119.

¹¹⁶ Samuel Kernell, *Going Public: New Strategies of Presidential Leadership* (Washington, D.C.: CQ Press, 2007), x.

¹¹⁷ Tulis, p. 11.

¹¹⁸ Tulis, p. 4.

Although Reagan is largely remembered for his oratorical prowess, he also possessed other skills that influenced his political successes and failures. One such skill was his consistent vision. Fred Greenstein argues that a political vision, a consistency of viewpoint in policy discourse, is important to “inspire” action.¹¹⁹ His steady commitment to small government, low taxes, and a strong military provided a “steady beacon for his political counterparts.”¹²⁰ Reagan’s vision was honed through his time on the *General Electric Theater* and remained a consistent draw for the public within the growing conservative movement. With his clear vision and strong communication skills, Reagan was able to solidify co-partisan support through presidential signaling¹²¹ and to effectively frame his policies around widely held, conservative values.¹²² Aided by his dual mandates, these skills helped to facilitate the passage of the ERTA.

Legislative skills, such as presidential bargaining and persuasion, are, according to Richard Neustadt, the most important way for a president to “influence the conduct of the men who make up government” and make exert their power in the legislative process.¹²³ While Reagan did not have a long career in politics where he could learn the intricacies of congressional bargaining, the case study reveals a consistent strength in connecting with legislators in service of gaining their support. While he delegated much of the daily political logistics to his staff – speaking also to his skill in creating a strong organizational capacity¹²⁴ – Reagan showed up during a critical juncture of congressional deliberation on the ERTA. He paid

¹¹⁹ Greenstein, *The Presidential Difference: Leadership Style from FDR to Barack Obama*, 228.

¹²⁰ Greenstein, 157.

¹²¹ Edwards, *Predicting the Presidency*, 80.

¹²² Edwards, 114.

¹²³ Neustadt, *Presidential Power: The Politics of Leadership*, 2.

¹²⁴ At least in his first term. In Reagan’s first term, when “his assistants took advantage of his strengths and protected him from his weaknesses, the results were often impressive.” Jim Baker, Ed Meese, and Michael Deaver were especially able aides who contributed greatly to the passage of the ERTA. However, when assistants took advantage of Reagan’s weaknesses, “there was a danger of such misadventures as the Iran-contra affair.” This proved to be an inconsistent skill for Reagan. (Greenstein, *The Presidential Difference: Leadership Style from FDR to Barack Obama*, 156.)

special attention to even “low-level members of Congress,” calling, writing handwritten notes, and meeting with them in person as he sought to drum up votes.¹²⁵ An astonishing “67 percent of the seventy-one Democrats in the House of Representatives who were targeted by the president... voted for his tax bill.”¹²⁶ Reagan ably created new opportunities and raised cross-party supports through his legislating.

Reagan’s legislative skills were not potent enough, however, to overcome the governmental inertia in his efforts to abolish the Department of Education. Although the abolition was a campaign promise in two major speeches – his 1980 acceptance of the Republican nomination and his 1982 State of the Union Address – he was not able to leverage these rhetorical opportunities into legislative action. In a Senate of 53 Republicans, he had only 19 assured votes. No degree of bargaining increased the measure’s support.

This example also speaks to an inconsistent organizational capacity skill. John Kingdon argues that presidents should “nominate people who are responsive to his conception of the agenda for their agencies.”¹²⁷ Reagan did not appoint the right Cabinet Secretary to advance his desired policy. Terrel Bell wanted to maintain the Department, and his *A Nation at Risk* report in 1983 proved to be a nail in the coffin of Reagan’s abolitionary goals, effectively closing any semblance of a policy window that had been open.

The case of Reagan, with its range of varying success, demonstrates the limits of presidential skills in contributing to change.

¹²⁵ Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution*, 116–17.

¹²⁶ Prasad, 118.

¹²⁷ Kingdon, *Agendas, Alternatives, and Public Policies*.

4.5 Conclusion

A case study of Ronald Reagan's presidency introduces new information about the role of context, tools, and skills in achieving legislative success, and contains warnings of how to avoid squandering legislative opportunity. Reagan was elected in a politics of reconstruction, "the most promising of all situations for the exercise of political leadership."¹²⁸ While Reagan achieved early success with the passage of the ERTA, the methods he used to facilitate its passage – namely "shoving the bill down the throats" of Congress¹²⁹ – diminished his policy window. White House initiatives started to become dead on arrival to Congress, and the administration found itself "engaged in trench warfare" in seemingly simple procedures such as passing a White House budget. The administration did have future legislative victories after the ERTA, for example, the Immigration Reform and Control Act of 1986; however, it did not enjoy the overall consistency or success of previous reconstructive iterations. Notably, no degree of the impressive utilization of skills was able to overcome this early mistake, reinforcing my understanding of the marginal benefits of skills in the grand scheme of change.

The ERTA was a notable success for Reagan and the New Right conservative movement. It restructured the tax system of the country, popularized the notion of trickle-down economics, and its legacy remains to the modern day. The nationwide consequences of the recession opened a policy window for Reagan to present an anti-recession bill, and wielding the dual mandates derived from his electoral victory and assassination attempts, the White House was able to capitalize on the opportunity.

Reagan's political skills also played an important role in the passage of the ERTA. Through effective communication and a consistent vision, Reagan was able to instill a faith in his

¹²⁸ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 37.

¹²⁹ Skowronek, 419.

tax cut plan. He also displayed impressive bargaining and persuasive capabilities as he lobbied Democratic Representatives to get enough votes to pass the bill. While his skills were important in the ERTA however, they were not able to overcome later resistance from the Democratic-controlled House, including in his attempts to abolish the Department of Education.

This research on the Reagan presidency provides further insights as to what makes change possible. Aligning with my lessons from the Johnson case, this study also reveals the importance of political context. The policy windows created by a lasting recession, Reagan's surprising (and surprisingly large) victory and assassination attempt facilitated the passage of his landmark bill, the Economic Recovery Tax Act of 1981. The disjunctiveness of Carter and the failing liberal regime also contributed to his success. It provided Reagan a "foil" to repudiate,¹³⁰ justifying an increased use of reconstructive leadership. However, the case also demonstrates the fragility of a context, as an overexertion of executive prerogative can impede future successes.

One new contribution to my framework is the power of effective communication. Reagan was able to garner massive support through various addresses to Congress and appeals to the public.

The knowledge gained from this Reagan case study built on the lessons from the Johnson case. I will now apply these insights to the modern day and conclude by predicting the degree of change I anticipate the Biden administration will achieve.

¹³⁰ Skowronek, 40.

Chapter 5: Build Back Better

“Folks, the people of this nation have spoken. They’ve delivered us a clear victory, a convincing victory, a victory for we, the people. We’ve won with the most votes ever cast for a presidential ticket in the history of the nation. Seventy-four million... It’s the honor of my lifetime that so many millions of Americans have voted for that vision. And now the work of making that vision is real. It’s a task, the task of our time.”¹

- President-Elect Joe Biden’s Victory Speech (November 7, 2020)

On November 7, four days after the polls closed, the results of the 2020 election became official. Joe Biden was declared the 46th president, and President Donald Trump became the first president in 28 years to lose re-election.² Many political pundits viewed the election less as a Biden victory and more as a Trump loss. They thought the results represented a referendum on President Trump: after four years of highly partisan and divisive language, and incredible incompetence in dealing with the COVID-19 pandemic, there were massive Democratic voter mobilization efforts to oust him. Significantly, the Democrats maintained their House majority in the election, and gained three seats in the Senate, tying the Upper Chamber at 50 Democratic votes³ and 50 Republicans. With President of the Senate and Vice President of the United States Kamala Harris serving as the tiebreaking vote in an evenly divided Senate, Democrats claimed a very slim unified control over the government.

Joe Biden won seventy-four million votes in the popular election, and said so, touting “the most ever cast for a presidential ticket in the history of the nation.” While the victory was neither by an incredibly large margin nor a surprise – two of the primary criteria for Grossback, Stimson, and Peterson in declaring an electoral mandate – Biden nonetheless claimed a mandate

¹ Joe Biden, “2020 Presidential Election Victory Speech” (Speech, Wilmington, DE, November 7, 2020).

² Gillian Brockell, “Trump Just Joined History’s Club of One-Term Presidents, Rejected by the Americans They Led,” *Washington Post*, November 7, 2020, sec. Retropolis, <https://www.washingtonpost.com/history/2020/11/07/one-term-presidents-trump/>.

³ This count includes two Independents – Bernie Sanders (I-VT) and Angus King (I-ME) – who caucus with the Democrats

to act on behalf of the country. He claimed that “millions of Americans” voted for “his vision,” and that he was charged with the task of “making that vision real.” In his victory speech, Joe Biden laid out concrete proposals that he wanted to pass to right the country after its nearly yearlong battle with the pandemic. The American Rescue Plan, his COVID relief bill, came to fruition in March. At the time of this writing, the Biden administration is working on passing an infrastructure bill.

This concluding chapter will draw on the lessons learned from the case studies in Chapters 3 and 4 to try and predict how much more success Joe Biden will have.

5.1 Joseph Robinette Biden

Joe Biden became one of the youngest people ever elected to the United States Senate when he was elected to represent Delaware at age 29.⁴ Weeks after his election, Biden’s wife and three children were in a devastating car accident. His wife Neilia and daughter Naomi were killed, and his sons Hunter and Beau were critically injured. Biden was sworn into the Senate at his “sons’ hospital bedsides.”⁵ Biden married Jill Jacobs in 1977, with whom he had another daughter. In 2015, Beau Biden passed away after a battle with brain cancer.⁶ Family is incredibly important to Joe Biden. It has also been a source of great grief and pain. These experiences have caused him to develop a deep sensitivity and empathy, which has ingratiated him with Americans for his entire political career.

Joe Biden served in the Senate for 36 years, “establishing himself as a leader in facing some of our nation’s most important domestic and international challenges” according to his

⁴ “Joe Biden: The President,” The White House, 2021, <https://www.whitehouse.gov/administration/president-biden/>.

⁵ “Joe Biden.”

⁶ “Joe Biden.”

official biography.⁷ In his tenure, he served as the lead Democrat of the Senate Foreign Relations Committee and the Senate Judiciary Committee.⁸ Throughout his time in the Senate, he was “at the forefront of issues and legislation,” developing a long legislative record and deep understanding of the rules and customs of the chamber. A creature of the Senate, Biden honed his legislative skills and his ability to achieve measures with bipartisanship. It was this skill and legislative experience that appealed to Barack Obama when he asked Biden to be his Vice President.⁹ I anticipate that these skills will aid him in his negotiation of the legislative landscape as president.

5.2 The First 100 Days of the Biden Administration

The first 100 days of the Biden Administration have been productive. President Biden has already signed the American Rescue Act, a \$1.9 trillion program that provided stimulus funding for states, increased vaccination infrastructure, and sent rescue checks to 85 percent of households into law: he also signed a bevy of executive orders (EOs) to revoke previous presidential actions of former President Trump.¹⁰ His success, however has been largely partisan, passing the Rescue Plan through budget reconciliation (requiring only a 51 vote majority supported along party lines, with Vice President Harris serving as the tie breaker) and using his presidential pen to sign EOs.

On April 28, in an Address to a Joint Session of Congress address to commemorate his first 100 days, President Biden implored Congress to act. He argued that “doing nothing is not an

⁷ “Joe Biden.”

⁸ “Joe Biden.”

⁹ Steven Levinston, “Joe Biden: Life Before the Presidency,” Miller Center, January 19, 2021, <https://millercenter.org/joe-biden-life-presidency>.

¹⁰ Biden, “Remarks by President Biden in Address to a Joint Session of Congress.”

option,” calling on Republican leaders to come to the table to pass legislation.¹¹ The address was reminiscent of the “laundry list” structure typical of State of the Union Addresses.¹² Biden advocated for around \$4 trillion for his two infrastructure bills – the American Jobs Plan and American Family Plan – to raise the minimum wage to \$15, to pass the Paycheck Fairness Act, and more. Whether any such legislation will pass remains to be seen.

In an era where polarization has divided the country by fueling cross-party antagonism and hatred, legislative bipartisanship remains held, ironically, in high regard. President Biden’s appeal to congressional Republicans to come to the bargaining table in his Address to a Joint Session of Congress at the 100-day mark of his presidency was thus unsurprising. This extension of the olive branch was made despite a recent Senate Parliamentary decision that Democrats could pass more pieces of legislation by a fully partisan vote through budget reconciliation.¹³ President Biden’s brief tenure has already been marked by partisan legislating. He signed a plethora of executive orders: over 60 in total, with 24 directly reversing President Trump’s policies.¹⁴ Biden also signed the American Rescue Plan into law without a single Republican vote in the House or Senate.¹⁵

There is a strong popular momentum behind the liberal agenda being presented by President Biden. And this is despite such slim Democratic majorities in both chambers of

¹¹ Biden.

¹² Andrew Rudalevige, “Analysis | Could Trump Be the President Who Finishes off the State of the Union Address?,” *Washington Post*, January 31, 2018, <https://www.washingtonpost.com/news/monkey-cage/wp/2018/01/31/could-trump-be-the-president-who-finishes-off-the-state-of-the-union-address/>.

¹³ Kelsey Snell, “Ruling By Senate Parliamentary Opens Up Potential Pathway For Democrats,” NPR.org, April 5, 2021, <https://www.npr.org/2021/04/05/984596350/ruling-by-senate-parliamentary-opens-up-potential-pathway-for-democrats>.

¹⁴ Christopher Hickey et al., “Here Are the Executive Actions Biden Signed in His First 100 Days,” CNN.com, April 20, 2021, <https://www.cnn.com/interactive/2021/politics/biden-executive-orders/>.

¹⁵ “Roll Call Vote 117th Congress - 1st Session,” United States Senate, March 6, 2021, https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=117&session=1&vote=00110; “Roll Call 49, Bill Number: H. R. 1319,” Office of the Clerk, U.S. House of Representatives, February 27, 2021, <https://clerk.house.gov/Votes/202149>.

Congress and the fact that the GOP remains a powerful political force. The American Rescue Plan is supported by a majority of Democratic, Independent, and Republican voters.¹⁶ Scholars, journalists, and pundits have likened President Biden to Franklin Roosevelt and Lyndon Johnson due to the massive scope of progressive reform that he is aiming to undertake. While Biden “enjoys hosting members of both parties and looks forward to holding more bipartisan meetings to find common ground,”¹⁷ how much longer will Congress refrain from passing legislation for the sake of bipartisanship? If Senate Democrats were able to secure votes from the more conservative members of their caucus, specifically Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ), they could likely pass Biden’s two infrastructure bills – the American Jobs Plan and American Families Plan – through reconciliation, again without a single Republican vote.

With an opportunity seemingly ripe for legislative passage, what more will the Biden administration get done? What degree of change is possible?

5.3 Lessons from the Case Studies

Before diving into the literature and lessons from the case studies, I want to return to Brendan Nyhan’s Green Lantern Theory of the Presidency, introduced in Chapter 1, to address the perceived strength of the president. Nyhan’s theory cautions that there is a popular belief that “the president can achieve any political or policy objective if only he tries hard enough or uses the right tactics.”¹⁸ The case studies fleshed out in the previous chapters dispel any notions of executive omnipotence. The Constitutionally created separation of powers ensure that presidents

¹⁶ Ethan Winter and Evangel Penumaka, “The American Rescue Plan Continues to Hold Bipartisan Support,” *Data For Progress* (blog), March 26, 2021, <https://www.dataforprogress.org/blog/2021/3/26/arp-continues-to-hold-bipartisan-support>.

¹⁷ Mascaro, “Chocolate Chip Diplomacy.”

¹⁸ As quoted in Klein, “The Green Lantern Theory of the Presidency.”

are in relatively weak positions vis a vis the legislative process. As demonstrated by the case early in Lyndon Johnson's first full term, unforeseen international events can derail legislatively productive times. The Vietnam War impinged upon Johnson's policy window, diminishing his capacity to pass Great Society programs. The Reagan case demonstrates how a shift in public opinion can also obstruct a president's agenda. Secretary of Education Terrel Bell's 1983 report, *A Nation at Risk*, laid bare the failures of the American public school system. The public – Republicans and Democrats alike – thus began to support politicians who claimed to fight for American's children, ending Reagan's vision of shuttering the Department of Education.

These findings align with scholar George Edwards's findings in his book *At the Margins*, where he argues that the “national preoccupation with the chief executive is misplaced,” and that presidential power is, in fact, limited in the Constitution's “purposefully inefficient system in which the founding fathers' handiwork in decentralizing power defeats even the most capable leaders.”¹⁹ Although the “differences in the constituencies, internal structures, time perspectives, and decision-making procedures” incentivize presidential attempts to lead Congress to pass their agenda, the president simply cannot – legally or functionally – compel Congress to act.²⁰

The case studies thus illuminate that the political context – and specifically the policy windows, mandates, and political time – is the most important factor in determining a president's success. While presidential tools (unilateral actions, veto threat) and skills (political skill, public communication, cognitive style) contribute to the passage of a presidential program, they largely contribute at the margins.²¹

¹⁹ Edwards, *At the Margins: Presidential Leadership of Congress*, 3.

²⁰ Edwards, 1.

²¹ Edwards, *At the Margins: Presidential Leadership of Congress*.

Political Context

Scholar John Kingdon argues that presidents have significant power to advance their agenda and push for change at any given time. A president can advance their agenda through institutional resources – including the veto and prerogative to hire and fire – organizational resources, command of public attention, and with co-partisan support.²² No single actor can match the “capability of the president to set agendas in given policy areas for all who deal with those policies.”²³ Although presidents can set agendas, governmental inertia poses a critical challenge to passing legislation. This is especially true when presidents have far-reaching ambitions of large legislative programs.

The political context a president is operating in is therefore the biggest factor determining their success. Legislative passage is most likely during what Kingdon has termed a policy window. A policy window is “an opportunity for action on given initiatives [which] present themselves and stay open for only short periods.”²⁴ A policy window opens because “of change in the political stream (e.g., a change of administration,... or a shift in national mood); or it opens because a new problem captures the attention of governmental officials and those close to them.”²⁵

Three distinct “families of processes” influence federal agenda setting, and their convergence is necessary to take advantage of policy windows. The three families of processes, or “streams” as Kingdon also refers to them, are problems, policies, and politics.²⁶ Societal problems capture the public attention, the policy community generates solutions, and then

²² Kingdon, *Agendas, Alternatives, and Public Policies*, 24–26.

²³ Kingdon, 23.

²⁴ Kingdon, 166.

²⁵ Kingdon, 168.

²⁶ Kingdon, 87.

political activities occur to try and pass a solution.²⁷ All of these events must align to create a moment where “a problem is recognized, a solution is available, *the political climate makes the time right for change, and the [bureaucratic] constraints do not prohibit action*”²⁸ in order for change to be accomplished. Thus, the “climate in government” is a “critical factor” in dictating the “prominence of an item on the agenda;”²⁹ and opportune climates are those in which large-scale bills – such as the Economic Opportunity Act (EOA) and Economic Recovery Tax Act (ERTA) – can be passed.

Mandates help create policy windows. Mandates are socially constructed messages that politicians use to argue that voters use their votes to signal their policy preferences, and that elected officials should receive those signals and act on them.³⁰ They are generally claimed by the winners of elections and are driven through campaign spin and media coverage. To be politically potent, a mandate must reach consensus acceptance in the public.³¹ If accepted as a “shared conclusion”³² – the majority of politicians accept election results as indications of the public’s faith in the victor to translate their “preferences into governance and policy”³³ – the mandate can serve as an undeniable justification for decisions made in the interest of the electorate.

A president’s ability to set the agenda and pass legislation is easier if their party controls Congress. However, through claiming a mandate, a president may be able to convince members of the opposing party, or ideologically distant co-partisans, that it would be “electorally wise” to

²⁷ Kingdon, 87.

²⁸ Emphasis added. Kingdon, 88.

²⁹ Kingdon, 72.

³⁰ Grossback, Peterson, and Stimson, *Mandate Politics*, 14.

³¹ Grossback, Peterson, and Stimson, 33.

³² Grossback, Peterson, and Stimson, 14.

³³ Grossback, Peterson, and Stimson, 17–18.

follow the mandate and “be identified as an agent of change.”³⁴ Politicians are always focused on the next election; they must keep their finger on the public pulse to ensure that their decisions are maintaining their electoral viability. Politicians are tasked with keeping their fingers on the political pulse of their constituents to keep their job.³⁵ After elections, politicians on the winning side are “emboldened to recalibrate their positions in the direction of their true preferences” while “those on the losing side are threatened by future defeat and pressed to move toward the ‘message’ for electoral security.”³⁶ Mandates thus can arouse congressional support for the president’s agenda.

A final factor affecting the political climate is the relationship between a president-elect and the incumbent. Drawing on Stephen Skowronek’s political time typology, legislative change is most likely during politics of reconstruction and politics of articulation. A reconstructive president replaces an incumbent of the opposite party during a time when that party’s ideology is vulnerable. These presidents are given an expansive warrant to repudiate the failing regime and to “shatter the politics of the past, orchestrate the establishment of a new coalition, and enshrine their commitments as the restoration of original values.”³⁷ This warrant enables presidents to reconstruct institutions and political mores along the lines of their vision, passing legislation to alter the political landscape. Articulative presidents are elected to succeed an incumbent of the affiliated party at a time when the ideology of their party is strong. Due to the resilience of the party’s ideology, they can serve as an “orthodox innovator,” “galvanizing political action... to continue the good work of the past.” Thus, articulative presidents can “bring an established

³⁴ Grossback, Peterson, and Stimson, 186.

³⁵ Grossback, Peterson, and Stimson, *Mandate Politics*, 15.

³⁶ Grossback, Peterson, and Stimson, 16.

³⁷ Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush*, 38–39.

regime to the gates of its promised land and invite the nation to celebrate its triumphant consensus.”³⁸

The political contexts that Lyndon Johnson and Ronald Reagan were elected into were extremely influential on their legislative success. Johnson ascended to the presidency after the assassination of John F. Kennedy. As a result of the unique circumstance, he was granted a mandate to lead a grieving nation, display a steady hand, and finish what Kennedy started. This context proved opportune to passing legislation, especially those that Kennedy was in favor of, like the Civil Rights Act of 1964. Later, upon being reelected by a record margin, Johnson wielded a second mandate to justify his large investment in Great Society programs. The growing public awareness of poverty as a societal problem helped to open a policy window, and Johnson took advantage of the window and, through articulating his received orthodoxy, brought the New Deal liberal regime to the “gates of its promised land.”

Reagan was elected during an economic recession. The previous administration had failed to address the stagflation – “the simultaneous appearance of inflation and unemployment”³⁹ – and the nation was hurting. Thus, a policy window was open when Reagan took office. Momentum for the ERTA, Reagan’s preferred bill, was supported by the mandate perception that arose from his surprise electoral victory. His 11-point victory over incumbent Jimmy Carter was relatively surprising in an election that was near-even in election day polling. Even more surprising was the Republican Senate victories, as the Republicans took control of the Senate for the first time in 25 years.⁴⁰ Reagan was elected into a politics of reconstruction. He replaced a failing regime, and thus was granted an expansive warrant to reconstruct the political

³⁸ Skowronek, 327.

³⁹ Prasad, *Starving the Beast: Ronald Reagan and the Tax Cut Revolution*, 22.

⁴⁰ Mieczkowski, “Reagan Runs: His Campaigns for the Presidency, 1976, 1980, and 1984,” 61–62.

order. Reagan received a second mandate after an attempted assassination attempt, which he leveraged for political capital, appealing for votes from his sickbed and giving an arousing speech in his first appearance after the shooting. Considered together, Reagan presided in an opportune time for change, allowing for his successful passage of the ERTA.

The case studies thus reveal the incredible importance of political context for presidential success in creating change.

Constitutional Tools

The two primary political tools that I studied, unilateral action and veto bargaining, were not used often by either Lyndon Johnson or Ronald Reagan in these cases. This largely is a result of the fact that both presidents – especially in the periods I focused on in the case studies – operated within a context that was ripe for change. With clear mandates and wide policy windows, Johnson and Reagan both were able to rely on the traditional legislative process to pass their programs.

This does not mean that these tools are not useful. Unilateral action provides presidents the opportunity to circumvent the congressional gridlock and partisanship that prevails today. Over the past few decades, as partisanship has increased, scholars have found that the utilization of executive orders has consequently increased, due to the diminished ability to “negotiate, build coalitions, bargain, and compromise.”⁴¹ Research reveals that unilateral action is most commonly used in a divided government; one where “congressional inertia, indifference, or quiescence... invite[s] measures on independent presidential responsibility.”⁴² In this situation, the typical lobbying and bargaining inherent with congressional negotiation is rendered moot, as the

⁴¹ Waterman, “Assessing the Unilateral Presidency,” 479.

⁴² Joel Fleishman and Arthur Aufses (1976), as cited in Howell, “Unilateral Powers: A Brief Overview,” 429.

gridlock prevents any significant policy action from taking place. As such, gridlock presents a “window of opportunity” for presidents to take advantage of during which they can use unilateral power to create policy that would not otherwise exist.⁴³ In times not as stymied by gridlock, such action can also serve to capture the attention of Congress and reshape the discussions that are occurring.⁴⁴

Veto bargaining can also help a president influence the legislative process. Vetoes allow the president to engage in interbranch bargaining. Through vetoing a bill or holding the threat of a veto over Congress, the president, to a degree, can influence the content of a bill.⁴⁵ Congress, in anticipating a veto, is compelled to make concessions to a president’s preferences to ensure that their legislation will be signed.⁴⁶

Within the constraints of my case studies, these presidential tools did not play a large part in the passage of either the EOA or the ERTA. Even if unilateral actions and/or the veto threat were utilized, however, such actions likely would not have been important factors in presidential success. As I argued in Chapter 1, the system “demands... consensus and coalition building to achieve permanent reform,” whereas unilateralism is “inherently fragile compared with legislative change.”⁴⁷

Thus, my research suggests that creating lasting legislative change is more reliant on context than tools.

⁴³ Howell, 429.

⁴⁴ Howell, 426.

⁴⁵ Cameron, *Veto Bargaining*, 9.

⁴⁶ Cameron, 20.

⁴⁷ Rudalevige, “Obama and the Unilateral Presidency: Imperial or Imperiled,” 241.

Legislative Skills

Presidential scholar Fred Greenstein vaunts political skills as important contributors to presidential success in his book, *The Presidential Difference*. Building on his assertion in *Leadership and the Modern Presidency* that the “impact of the president is almost invariably a function of the personal leadership qualities he brings to and displays in office,”⁴⁸ Greenstein argues in *The Presidential Difference* that the “personal attributes distinguishing one White House incumbent from another will shape political outcomes.”⁴⁹ He lays out five skills that are important for presidents: public communication, organizational capacity, political skill, vision, and cognitive style. Each skill, and the quality of a president’s ability in each of the categories, thus impact presidential legislative success.

My research does not support Greenstein’s theory. Instead, my findings align more closely with those of George Edwards in *At the Margins*, where he argues that the “national preoccupation with the chief executive is misplaced,” and that presidential power is, in fact, limited in the Constitution’s “purposefully inefficient system in which the founding fathers’ handiwork in decentralizing power defeats even the most capable leaders.”⁵⁰

Instead of focusing on legislative skills as a source of presidential influence, Edwards argues that party support and public support are more important. Legislative skills are only critical for “members of Congress who remain open to change after other influences have had their impact.”⁵¹ In a time as polarized as today, where very few members of Congress are “open to chang[ing]” their vote, these skills play a minor role in legislative negotiations. Similar assertions are made in another book by Edwards, *Predicting the Presidency*. He argues that

⁴⁸ Greenstein, *Leadership in the Modern Presidency*, 1.

⁴⁹ Greenstein, *The Presidential Difference: Leadership Style from FDR to Barack Obama*, 3.

⁵⁰ Edwards, *At the Margins: Presidential Leadership of Congress*, 3.

⁵¹ Edwards, 174.

exploiting existing opportunities (consolidating existing party and public support) is much more important for presidential success than creating opportunities (convincing legislators to change their vote vis a vis legislative skills).⁵²

Both Lyndon Johnson and Ronald Reagan are remembered for their exemplary political skills. The Johnson Treatment, a legislating strategy in which Johnson used his imposing 6'4", 240-pound figure – literally physically and verbally bullying, cajoling, lobbying, and threatening – to get what he wanted out of people,⁵³ remains infamous in presidential political literature. Similarly, Ronald Reagan, “The Great Communicator,” is still revered for his oratorical prestige. Although these legislative skills were useful in passing the pieces of legislation outlined in the case studies – Johnson gaining support from southern Democrats on the EOA and Reagan compellingly speaking in favor of the ERTA – they proved impotent in political contexts not conducive to change. After Vietnam for Johnson and after the passage of the ERTA for Reagan (in conjunction with the recession in 1982), the presidents’ policy windows closed. Their renowned legislative skills could not overcome an inopportune political context.

The case studies thus demonstrate the value of skills at the margins, but also exemplify their unsubstantial influence as the major factor driving policy. Again, the research suggests that political context is the most important factor in legislative change.

5.4 Applying Lessons to the Present: Predicting Biden’s Success

With an understanding that the political context largely drives a president’s potential for change, with skills helping on the margins, it is important to assess the 2021 political climate in order make an informed prediction about Biden’s prospects.

⁵² Edwards, *Predicting the Presidency*, 2.

⁵³ Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, 6.

The COVID-19 pandemic opened a significant policy window for Biden. With a U.S. death toll nearing 580,000, massive unemployment, and a severe economic contraction, the pandemic was an all-encompassing problem that the entire country wanted addressed. Thus, the three streams of problem, policy, and politics converged to open the opportunity for the Biden administration to pass the American Rescue Plan. The Rescue Plan was signed into law in March and has received bipartisan support from the American public.⁵⁴

President Biden claimed a mandate from his election, arguing that “millions of Americans” “voted for [his] vision,” giving “a clear victory” and tasking him to make his “vision real.”⁵⁵ However, based on the extreme polarization in D.C., it is unlikely to become a quantifiable mandate that changes Congressional voting behavior.⁵⁶ Polarization has made it impossible to win cross-party support, or, in Edwardsian terms, create new opportunities. There is deep political antagonism between parties, and even within parties,⁵⁷ making any sort of bipartisanship near impossible.

No Republican voted to support the American Rescue Plan. The fact that there was no Republican support for such a clear public problem demonstrates the vast distance between party solutions. This portends a situation where it is unlikely that the Democrats can expect any bipartisan cooperation, especially as the agenda moves away from COVID.

Although President Biden began his term signing by signing many executive orders, in general, presidential tools such as unilateral action and veto bargaining are not useful for

⁵⁴ Winter and Penumaka, “The American Rescue Plan Continues to Hold Bipartisan Support.”

⁵⁵ Biden, “Remarks by President Biden in Address to a Joint Session of Congress.”

⁵⁶ Grossback, Peterson, and Stimson, *Mandate Politics*, 65–66.

⁵⁷ See <https://www.nytimes.com/2021/05/06/us/politics/liz-cheney-elise-stefanik.html> to read about the current controversy surrounding Congresswoman Liz Cheney. Cheney did not even support a Democratic priority but is on the verge of being ousted from Republican leadership because she refuses to legitimize the false fraudulent election claims.

attaining sustainable legislative change.⁵⁸ President Biden's "chocolate chip diplomacy" with both Republican and Democratic legislators from both chambers of Congress indicates he may be trying to use the legislative skills honed through 36 years in the Senate to garner bipartisan support.⁵⁹ However, such skills only help on the margins and, in such a partisan environment, I doubt they would help him at all in attracting a single Republican vote.

Therefore, I predict that change is possible under the Biden administration, however, it will need to be achieved through strictly partisan means. There is a policy window open – COVID has laid bare vast inequalities throughout American society, and there seems to be a yearning for increased spending to address them. However, in such a partisan environment, Republicans will be extremely reticent to join onto any of the Democratic bills. I do not think that that the White House will sacrifice Biden's bills and Democratic priorities solely for the sake of bipartisanship.

To achieve the change that is possible in this moment, Biden must redefine bipartisanship. The Republican public's support for the American Rescue Plan starkly contradicts the congressional Republicans rejection of it. In his address to Congress on April 28, Biden focused the attention of the members of government in attendance and the viewers watching from afar on the words opening words of the Constitution. "We the People." He told his audience that "it's time to remember that 'We the People' are the government — you and I. Not some force in a distant capital. Not some powerful force that we have no control over."⁶⁰ If Biden and the Democrats reframe bipartisanship through the lens of those people benefitting

⁵⁸ Rudalevige, "Obama and the Unilateral Presidency: Imperial or Imperiled," 241.

⁵⁹ Mascaro, "Chocolate Chip Diplomacy."

⁶⁰ Biden, "Remarks by President Biden in Address to a Joint Session of Congress."

from the policies they pass, it would become easier to justify partisan procedures like reconciliation.

If Biden redefines bipartisanship based on the effects of policies, I believe he would then be well positioned to implement change. And I think this is where his mandate and legislative skills would need to be utilized. The Democratic party itself is divided, with progressives and moderates holding very different priorities.⁶¹ Biden must use his electoral mandate to demonstrate the popular desire to pass legislation and build back better. He must also – drawing on Neustadt – use his bargaining and negotiating skills to reconcile the intraparty differences.

Based on the lessons I learned from the case studies, I conclude that change is possible in the Biden administration. The political context is ripe for the passage of a large legislative program that will reconstruct political structures in the style of the new, liberal ideology. The COVID pandemic has opened a policy window, and Biden’s electoral mandate and legislative skills will help convince the Democratic senators that it is electorally wise to support his vision. Although Biden’s success will require the forfeiture of bipartisan hopes and will likely need to utilize the partisan mechanism of budget reconciliation votes, change is possible.

Thomas Brackett Reed, a former Speaker of the House and Maine Representative, once said that “the best system is to have one party govern and the other party watch.”⁶² While such partisan maneuvering is not “the best system,” in my opinion, in such a polarized time, it seems like the only system. As President Biden said in his Address to the Joint Session of Congress in late April: “doing nothing is not an option.”⁶³ It’s time to commit to an expansion of government

⁶¹ See https://www.washingtonpost.com/opinions/joe-manchin-filibuster-vote/2021/04/07/cdbd53c6-97da-11eb-a6d0-13d207aadb78_story.html to read Senator Joe Manchin’s opinion piece where he voices objection to adjusting the filibuster, a major progressive priority. This is but one example of the intraparty policy divide.

⁶² *Congressional Record*, April 22, 1880, p. 2661

⁶³ Biden, “Remarks by President Biden in Address to a Joint Session of Congress.”

spending to address the inequalities in the country, and to reconstruct the political landscape for the first time since the Reagan Revolution.

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